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AGENDA

| | |
|--------------------------|--|
| Committee | ECONOMY & CULTURE SCRUTINY COMMITTEE |
| Date and Time of Meeting | TUESDAY, 11 JULY 2023, 5.00 PM |
| Venue | CR 4, COUNTY HALL - MULTI LOCATION MEETING |
| Membership | Councillor Wong (Chair) Councillors Berman, Brown-Reckless, Henshaw, Jenkins, Jones, Lloyd Jones, Shimmin and Thomson |

Time approx.

1 Apologies for Absence

To receive apologies for absence.

2 Declarations of Interest

To be made at the start of the agenda item in question, in accordance with the Members' Code of Conduct.

3 Minutes (Pages 5 - 10)

To approve as a correct record the minutes of the meeting held on 20 June 2023.

4 St. David's Hall (Pages 11 - 258)

5.00 pm

Pre Decision Scrutiny.

Appendices 1-3 & B of this report are not for publication as they contain exempt information of the description contained in paragraphs 14 and 16 of Part 4 of Schedule 12A of the Local Government Act 1972.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.

5 **Atlantic Wharf Masterplan** (*Pages 259 - 600*) 5.45 pm

Pre Decision Scrutiny

Appendices 1, 2, 3, 5, 6, 7, 8 & 9 of this report are not for publication as they contain exempt information of the description contained in paragraphs 14 and 16 of Part 4 and paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972.

6 **ISV Update** (*Pages 601 - 754*) 6.30 pm

Pre Decision Scrutiny

Appendices 2-5 of this report are not for publication as they contain exempt information of the description contained in paragraphs 14, 16 and 21 of Schedule 12A of the Local Government Act 1972.

Comfort Break - 5 mins

7 **Museum of Cardiff Inquiry Report** (*Pages 755 - 840*) 7.20 pm

8 **Work Programme 2023/24** (*Pages 841 - 858*) 7.30 pm

9 **Correspondence Update** (*Pages 859 - 862*) 7.40 pm

10 **Urgent Items (if any)**

11 **Way Forward**

12 **Date of next meeting**

19th September 2023 at 4.30pm

Davina Fiore

Director Governance & Legal Services

Date: Wednesday, 5 July 2023

Contact: Andrea Redmond, 02920 872434, a.redmond@cardiff.gov.uk

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ECONOMY & CULTURE SCRUTINY COMMITTEE

20 JUNE 2023

Present: Councillor Wong(Chairperson)
Councillors Berman, Brown-Reckless, Henshaw, Jones,
Lloyd Jones, Shimmin and Thomson

1 : CHAIRPERSON AND COMMITTEE MEMBERSHIP

Noted.

2 : TERMS OF REFERENCE

Noted.

3 : APOLOGIES FOR ABSENCE

Apologies had been received from Cllr Jenkins and Cllr Shimmin had advised that he would be late joining the meeting.

4 : DECLARATIONS OF INTEREST

None received.

5 : MINUTES

The minutes of the meeting held on 31 May 2023 were agreed as a correct record and signed by the Chairperson.

6 : PENTWYN LEISURE CENTRE

The Chairperson advised that this item enabled Members to scrutinise the new proposals for Pentwyn Leisure Centre, including proposed improvements and leasing arrangements, and how these interface with GLL provision. Members would also have the opportunity to explore any implications for the Council, including financial implications and whether there are any risks to the Council.

The Chairperson welcomed Cllr Burke – Cabinet Member – Culture, Parks and Events, Neil Hanratty – Director of Economic Development, Steve Morris – Operational Manager – Sport, Leisure and Development, and Chris Barnett – Operational Manager – Major Projects for this item.

The Chairperson explained the structure of the meeting as questions to the panel on the information in the public domain, followed by questions in closed session on Appendices 2-5.

The Cabinet Member was invited to make an opening statement, following which Members were provided with a presentation by officers.

The Chairperson invited questions and comments from Members.

Members noted and welcomed that Cardiff Rugby has shown a willingness to collaborate with local communities, allowing for community usage and meetings, including PACT (Partnerships and Communities Together) meetings; The area adjacent to the café will be accessible for smaller community activities; The 3G pitches will be open to community use outside of Cardiff Rugby's scheduled occupation, which is primarily on weekdays from 10 am to 3 pm; A diary or program facility will be implemented to facilitate the management and scheduling of community usage.

Members were pleased to learn about the proposed solar scheme, which is expected to reduce the leisure centre's carbon footprint by 22%. They were also informed that the Ground Source Heat Pump will further enhance these environmental benefits. Zack Hellard, the Youth Council representative, suggested exploring additional environmental improvements in line with Cardiff Council's One Planet Cardiff commitments, such as water collection.

Members were assured that leisure centres are part of the Council's estate and are committed to achieving net carbon zero by 2030. This includes an opportunity for Pentwyn Leisure Centre to incorporate further environmental improvements aligned with the Council's goals.

Regarding costs, Members noted that the budget for the scheme has been reduced by £0.5 million, resulting in a total budget of £4.5 million. Members also noted that £1 million to £1.5 million is no longer available from the Pentwyn Park and Ride scheme to fund this particular project. The Council's investment in the scheme is based on an "Invest to Save" basis, with the expectation that all the funds will be repaid.

In terms of pool dimensions, Members heard there is a high demand for learning to swim courses in Cardiff. The proposed pool size is a learner pool measuring 20 metres x 8 metres, with a depth of 1 metre. These dimensions have been determined through detailed collaboration with engineers, the Amateur Swimming Association, and the Health and Safety Executive. The aim was to identify the most cost-effective pool size that meets the needs of those learning to swim.

However, Members were surprised that Swim Wales, and their specialist consultants on pool energy usage, had not been involved in the process. They recommend initiating a dialogue with Swim Wales to ensure that all available efficiencies regarding pool energy usage are taken into account.

Members noted officers' assurances that the reduction in pool size is primarily driven by the need to maintain affordable operating costs, which includes not only energy costs but also staffing costs, with larger pools exceeding 20 metres in length requiring a larger number of staff to operate effectively.

Furthermore, Members heard that there are other pools available in Cardiff to cater to the needs of competitive swimming. They also noted that the previous pool in the Pentwyn Leisure Centre was a free form pool, rendering it unsuitable for competitive swimming.

Members raised concerns regarding the use of 2011 Census data in the Equality Impact Assessment (EIA) rather than the more recent 2021 Census data. They requested an explanation for this decision.

Members were pleased to hear of the willingness to engage with local communities and keep them informed about the proposals, as well as seek their feedback. Members noted a suggestion made during the meeting to amend the recommendation to the Cabinet, namely that the scheme be considered as agreed, subject to consultation with the community. However, some Members were concerned that this implies that the decision on the scheme will be made before the consultation process has taken place.

Regarding changing rooms, Members considered that there is an opportunity to engage and consult with communities regarding the specific design of changing rooms. Officers explained it is intended that the changing rooms will be family-friendly. The officers responsible for the project are looking to draw insights from the experience of Cardiff International Pool to inform the design of the changing rooms at Pentwyn Leisure Centre. One member shared a positive personal experience of using gender-neutral changing rooms at Western Leisure Centre.

In terms of accessibility, Members were pleased to hear that the swimming pool lease will include criteria to ensure that the pool is accessible to all, including Muslim women and girls. The design and operation of the pool will be tailored to meet their specific needs.

Members noted that it is a requirement for sport governing bodies to have robust safeguarding protocols and procedures in place, including conducting Disclosure and Barring Service (DBS) checks. As part of the Council's procurement framework, contractors will be required to undergo DBS checks.

During the meeting, Members discussed the possibility of employing a modular design approach for the scheme. They were pleased to hear that the officers agreed with this suggestion, as it would allow for future opportunities to expand provision in a more flexible and modular manner.

RESOLVED – That the public be excluded from the meeting at this point during consideration of this item as the Committee discussed exempt information of the description contained in paragraph 14 of Part 4 and paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972. The public may be excluded from the meeting by resolution of the Committee pursuant to Section 100A(4) of the Local Government Act 1972 during discussion of this item.

AGREED: that the Chairperson, on behalf of the Committee, writes to the Cabinet Member conveying the observations of the Committee when discussing the way forward.

7 : TENNIS IN PARKS

The Chairperson advised that this item enabled Members to scrutinise a report to Cabinet that sets out proposals for the Council to enter into an agreement with Tennis Wales to operate 6 tennis court sites across Cardiff. Members would be able

to explore the impact of these proposals, including the introduction of a membership and management scheme, as well as any risks to the Council and the implications arising from these documents, including any financial implications.

For this item the Chairperson welcomed Cllr Burke – Cabinet Member – Culture, Parks and Events and Steve Morris – Operational Manager – Sport, Leisure and Development.

The Cabinet Member gave an opening statement after which Officers gave their presentation.

The Chairperson invited questions and comments from Members.

Inclusivity and Accessibility. Members noted that;

- Phone numbers will be displayed on notice boards at Tennis in Wales sites to enable individuals who are unable to book online to book sessions and access the courts;
- Officers will inquire with Tennis Wales about their plans to address digital inclusion/exclusion and will report back to the committee with their response.
- Officers will also check with Tennis Wales to determine the qualifying criteria for obtaining a Student Pass and share that information with the committee.
- The agreement with Tennis Wales ensures that there will be free access and free equipment available at all sites within the scheme. These free access sessions will be scheduled at various times and on different days throughout the week.
- The agreement also includes funding for a full-time tennis coach, provided by Tennis Wales, who will actively work to boost participation through free taster sessions, "come and try" sessions, free 6-week courses, free tennis leagues, and free tennis ladders across all sites.
- UK Government DCMS and Lawn Tennis Association funding criteria emphasize the need to increase participation among under-represented groups, including Black and Minority Ethnic Groups, with measurable outcomes.

Members were pleased with the above points and emphasised the importance of publicising them to residents to ensure inclusivity and accessibility within the scheme.

Demand:

Members discussed the level of tennis provision in Cardiff, acknowledging the presence of several private facilities, and sought reassurance regarding the demand for municipal provision.

Members were pleased to learn that Tennis Wales has conducted research on the latent demand for tennis in Cardiff and express confidence that the six sites will be successful. They also noted that similar schemes in England, including in deprived urban areas, have significantly increased participation.

Members were pleased to hear that low-level lighting, which will not disturb local residents, will be installed to make the courts usable year-round.

Members raised the topic of indoor tennis, given the weather conditions in Wales. They would appreciate an explanation as to why the indoor tennis provision at the House of Sport has ceased and if there is a possibility of reopening it.

Encouraging Talent:

Members noted that players who demonstrate potential will be supported in accessing talent pathways and development centres.

Trusts:

Members acknowledged that several parks in Cardiff are subject to Trust arrangements. Strategic Estates and Legal Services are working on establishing a way forward, and if the Council is the appointed Trustee, a separate decision report will need to be presented to the Cabinet in their capacity as Trustee.

Capital Investment and Maintenance:

Members noted that this project presents a rare opportunity to attract funding and investment into municipal courts, which is greatly needed.

Members were informed that Tennis Wales will assume the maintenance responsibilities for the courts.

Charges:

Members expressed interest in comparing the proposed costs by Tennis Wales with the costs of other sports. During the meeting, several members mentioned the costs at tennis facilities in Cardiff. Members believe it would be beneficial to provide an overview of charges at tennis facilities in Cardiff and other sports as outlined in the papers to offer clarity and raise awareness of the value provided by the Tennis Wales scheme.

AGREED: that the Chairperson, on behalf of the Committee, writes to the Cabinet Member conveying the observations of the Committee when discussing the way forward.

8 : WORK PROGRAMMING 2023-24

Noted.

9 : COMMITTEE BUSINESS

Members were provided with an update on Correspondence sent and received by Committee.

Members agreed the terms of reference for the Museum of Cardiff Inquiry, as set out at Appendix A to the report.

Members were content with the proposed Scrutiny Annual Report 2022/23, at Appendix B, and this Committee's wording, attached at Appendix C.

10 : URGENT ITEMS (IF ANY)

None received.

11 : DATE OF NEXT MEETING

11 July 2023 at 5.00pm

The meeting terminated at 7.10 pm

CYNGOR CAERDYDD
CARDIFF COUNCIL

ECONOMY & CULTURE SCRUTINY COMMITTEE

11 JULY 2023

ST DAVID'S HALL

Appendices 1-3 of Appendix A, and Confidential Appendix B are not for publication as they contain exempt information of the description contained in paragraphs 14 and 16 of Part 4 of Schedule 12A of the Local Government Act 1972. It is viewed that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Purpose of the Report

1. To provide background information to Members to aid their scrutiny of the report to Cabinet, titled '*St David's Hall*', which is due to be considered by Cabinet at their meeting on 13 July 2023.

Structure of papers

2. Attached to this cover report are the following appendices:
 - i. Appendix A – report to Cabinet titled '*St David's Hall*.'
 - a. Confidential Appendix 1 – Legal Advice and Agreements
 - b. Confidential Appendix 2 – Market Exercise Summary
 - c. Confidential Appendix 3 – Surveyors Letter
 - d. Appendix 4 – Single Impact Assessment
 - ii. Confidential Appendix B – Repairs Schedule
3. Members should note that **Appendices 1-3 of Appendix A and Appendix B** are exempt from publication. Members are requested to keep this information confidential, in line with their responsibilities as set out in the Members' Code of Conduct.

Scope of Scrutiny

4. At their meeting on 13 July 2023, the Cabinet will consider a report that seeks approval to transfer the business of St. David's Hall to Academy Music Group (AMG), via a Business Sales Agreement and Full Repairing and Insuring Lease.

5. During this scrutiny, Members have the opportunity to explore:
 - i. The proposed business sale agreement and lease – at **Confidential Appendix 1**
 - ii. The draft Memorandum of Understanding – at **Confidential Appendix 1**
 - iii. The Repairs Schedule information contained at **Confidential Appendix B**, previously requested by Committee
 - iv. The financial, legal, property and HR implications
 - v. Whether there are any risks to the Council
 - vi. The timeline and next steps.

Structure of the meeting

6. The Chair will move that this item be considered in two parts: an open session, where Members will be able to ask questions on the papers that are in the public domain, namely this cover report and the report to Cabinet attached at **Appendix A, and its appendix 4**; and a closed session, where members of the public will be excluded, where Members can ask questions that pertain to **Confidential Appendices 1-3 of Appendix A and Appendix B**.
7. Members will hear from Councillor Burke (Cabinet Member – Culture, Parks and Events). Neil Hanratty (Director of Economic Development), Kathryn Richards (Head of Culture, Events, Venues and Tourism), Ruth Cayford (Operational Manager –Creative Industries and Culture), Chris Barnett (OM Major Projects), Donna Jones (Assistant Director – County Estates) will also attend the meeting. Members will be able to ask questions of the panel.
8. Members will then be able to decide what comments, observations or recommendations they wish to pass on to the Cabinet for their consideration prior to Cabinet on 13 July 2023.

Background

9. At their meeting on 15 December 2022, Cabinet considered a report titled ‘*St David’s Hall*’¹ that set out that:

¹ Available [here](#)

- i. the funding available for St David's Hall does not meet operating or maintenance costs, the situation is worsening, and the Council cannot afford the scale of capital investment required
- ii. there is a budgeted operating subsidy of £688,700 per annum, which is regularly exceeded, with subsidy levels £1m+
- iii. the 2021 Condition Survey identified several issues and recent updated government guidance in relation to Reinforced Autoclaved Aerated Concrete (RAAC) planks, used in St David's Hall's roof, escalates the need for remedial works.

10. In December 2022, Cabinet agreed in principle to enter into a business sale agreement and lease with AMG and tasked officers to bring a future report to Cabinet, to include the findings of budgetary and staff consultation and an assessment of best value of the AMG offer, to enable Cabinet to decide the best way forward; this is the report attached at **Appendix A**.

Issues identified in the Cabinet Report

11. The report to Cabinet contains the following sections:

- i. **Point 12** – lists the key elements of the business sale agreement and lease
- ii. **Points 14-16** – summarises the budget and staff consultation
- iii. **Point 17** – reaffirms KC advice the proposal is a property transaction
- iv. **Point 18** – summarises the response to the publication of the VEAT notice
- v. **Points 19-20** – summarise best value assessments
- vi. **Points 21-22** – summarise Welsh Language standards
- vii. **Points 23-26** – set out the next steps.

12. The main points contained in the report are:

- i. KC advice is that the proposal is a property transaction, not subject to procurement rules
- ii. The Council is proposing to enter into a business sale agreement and full repairing and insurance 45-year property lease with AMG, which requires works to be undertaken within an appropriate timescale
- iii. AMG to operate the venue as an independent commercial enterprise

- iv. AMG commit to allocate a minimum of 60 days within the peak event calendar and a minimum of 20 further days outside peak dates for classical events, extending to 30 days off peak every other year to accommodate the BBC Cardiff Singer of the World event
- v. AMG commit to maintain the venue's key musical instruments
- vi. AMG will enter into a Memorandum of Understanding with the key classical stakeholders, which reflects a clear intention of the parties to work together collaboratively, albeit that it is not legally enforceable
- vii. AMG commit to employ existing Council employees currently working at St. David's Hall on existing terms via TUPE; this involves 47 individuals as well as some casual workers, and the Council is committed to ensuring staff transferring will not be in detriment.
- viii. The market exercise undertaken in May 2023 coupled with analysis of the wider market and advice from the Council's independent advisors concludes the proposed transaction with AMG represents best value
- ix. AMG has agreed to meet the same standards for Welsh Language as would be expected of the Council.

13. Members are advised that much of the detail for this report is contained in **Confidential Appendices 1-3.**

14. In terms of the next steps, the report sets out the Council needs to:

- i. Undertake full TUPE engagement with all employees prior to entering the lease and business sales agreement with AMG
- ii. Complete the Memorandum of Understanding with classical stakeholders
- iii. Conclude workstreams to determine Tax implications and the structure for the transaction
- iv. Enter into the lease and business sale agreement with AMG, at an appropriate time.

15. **Financial Implications** are at **points 28-42**, and highlight:

- i. The achievable revenue saving is likely to be in the region of £500,000 per annum, as some of the revenue saving will be used to provide the Arts Active Programme

- ii. Any refurbishment costs falling to the Council prior to transfer should be clearly identified and agreed as part of the final contract; these would need to be agreed and form part of future budget setting processes for both capital and revenue budgets. The Council needs to be satisfied that, bearing this in mind, the proposed transfer for nominal consideration remains consistent with the overall best value rationale.
- iii. TUPE and pension fund implications need to be fully set out as part of the completion of the proposed business sale agreement
- iv. The achievability of budget savings 2023/24 and ongoing liabilities for the Council will depend on the timing of staff transfer and legal agreements
- v. It is proposed to establish a workstream to consider and determine the optimum tax structure for the transaction, including VAT.

16. Legal Implications are at **points 43- 58** and highlight:

- i. **Confidential Appendix 1** addresses issues of procurement law and subsidy control
- ii. The legal basis for disposal of Council-owned land
- iii. Cabinet needs to take account of the Council's fiduciary duties to local residents and taxpayers.
- iv. The need for the decision maker to consider its duties with regard to the Equality Act 2010, the Public Sector Equality Duties, the Well- Being of Future Generations (Wales) Act 2015, and the Welsh Language (Wales) Measure 2011 and Welsh Language Standards
- v. Employment Law – the lease and business sale agreement provide for the Council and AMG to treat all employees currently employed by the Council at the venue as transferring under TUPE, with the Council providing certain warranties and indemnities to AMG.

17. Property Implications are at **point 59** stating property implications are described within the report.

18. Points 60-69 set out the **HR implications** for the Council arising from this report, including:

- i. TUPE and the Welsh Government's Code of Practice on Workforce Matters requirements must be met; this includes an Annual Report to Welsh Government on their implementation
- ii. It is proposed that Agency Workers who have been engaged in the same role for a fixed number of hours per week for the last 2 years will be offered contracts of employment and will therefore be covered by TUPE legislation
- iii. AMG would need to determine for themselves the future use of Agency Workers
- iv. Consultation needs to take place with the managers of Cleaning Employees to ascertain if they are in scope to transfer to AMG; if they are, they will need to be engaged in the formal consultation process
- v. It is important to allow sufficient time prior to TUPE transfer to allow for completion of the Admission Agreement re pensions
- vi. Transfer does not trigger an entitlement to redundancy pay unless there is an actual dismissal
- vii. AMG will be required to take over any collective agreements made by or on behalf of the Council that are in force at the point of transfer
- viii. AMG are not bound by post-transfer collectively agreed terms which they have not negotiated
- ix. The Council may offer alternative vacancies to employees who are in the group to transfer but do not wish to transfer, in line with normal recruitment and selection procedures
- x. Should Cabinet agree the recommendations, a formal consultation period will commence with employees who are in scope to transfer to AMG under TUPE; trade union colleague will be invited to attend employee consultation meetings and will be fully briefed throughout the transfer process.

Proposed Recommendations to Cabinet

19. The report to Cabinet contains the following recommendations:

- i. *Delegate authority 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. *complete the MOU with stakeholders based on the principles set out in the draft MOU attached at **Confidential Appendix 1**;*

- b. complete the lease and associated documents as set out at **Confidential Appendix 1**;
 - 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 as set out at **Confidential Appendix 1**;
- ii. Authorise the transfer of [all] employees to AMG under the Transfer of Undertaking (Protection of Employment Regulations 2006) (TUPE).

Previous Scrutiny

20. In December 2022, this Committee undertook pre-decision scrutiny of the report to Cabinet titled ‘St David’s Hall’. Members heard from Cllr Burke (Cabinet Member – Culture, Parks and Events), council officers, and Ceri Williams from Cardiff Civic Society. Members also received copies of representations made to the Committee by 22 members of the public, via the Scrutiny Viewpoints mailbox.

21. At the meeting, Members explored the proposals, focusing specifically on funding, process proposed, negotiations to date, consultation, and confidential information. Following this scrutiny, the Chair wrote a public and a confidential letter² to Cllr Burke, conveying the Committee’s comments, observations and recommendations. Members made two requests for information and four recommendations. Cllr Burke responded to this letter³, accepting all the recommendations; the Sandy Brown report was released into the public domain the day after the scrutiny committee meeting.

22. In May 2023, this Committee scrutinised key documents relating to the proposed property transfer of St David’s Hall, including the Voluntary Ex-Ante Transparency Notice (VEAT notice). Members scrutinised the soft marketing exercise, KC advice regarding the proposed transaction qualifying as a property transaction, the VEAT notice, the classical programme and community events, key stakeholder advisory group, liabilities and obligations, ticket prices, the lack of a

² The confidential letter has previously been circulated to Members and the public letter is available [here](#)

³ Available [here](#)

commercial connection between this work and the work on the Indoor Arena, and the lack of contact from the Competition and Markets Authority.

23. Following this scrutiny, the Chair wrote a public and a confidential letter⁴ to Cllr Burke, conveying the Committee's comments, observations and recommendations. In the public letter, Members made one request for information:

- *To provide in writing the current number of days of provision for the classical programme at St. David's Hall.*

24. Cllr Burke responded to this letter⁵, providing details of the protected programme based on a typical year's classical/ community programme.

25. In the confidential letter sent following scrutiny in May 2023, Members made one recommendation; this was partially accepted as detailed in the response received from Councillor Burke, Cabinet Member – Culture, Parks and Events, which has been circulated to Committee Members. Members also made a request for additional information – this is provided at **Confidential Appendix B**.

Way Forward

26. Councillor Burke (Cabinet Member – Culture, Parks and Events) will be invited to make a statement. Neil Hanratty (Director of Economic Development), Kathryn Richards (Head of Culture, Events, Venues and Tourism), Ruth Cayford (Operational Manager – Creative Industries and Culture), Chris Barnett (Operational Manager – Major Projects) and Donna Jones (Assistant Director – County Estates) will attend, and all witnesses will be available to answer Members' questions.

27. All Members are reminded of the need to maintain confidentiality regarding the information provided in **Appendices 1-3 of Appendix A and Appendix B**.

⁴ The confidential letter has previously been circulated to Members and the public letter is available [here](#)

⁵ Available [here](#)

Members will be invited to agree the meeting go into closed session to enable discussion of this information.

Legal Implications

28. The Scrutiny Committee is empowered to enquire, consider, review, and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters, there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

29. The Scrutiny Committee is empowered to enquire, consider, review, and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters, there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

RECOMMENDATION

The Committee is recommended to:

- i) Consider the information in this report, its appendices, and the information presented at the meeting
- ii) Determine whether they would like to make any comments, observations or recommendations to the Cabinet on this matter, and
- iii) Decide the way forward for any future scrutiny of the issues discussed.

DAVINA FIORE

Director of Governance & Legal Services

05 July 2023

CABINET MEETING: 13 July 2023

ST DAVID'S HALL

CULTURE, PARKS & EVENTS (COUNCILLOR JEN BURKE)

AGENDA ITEM:

PORTFOLIO: INVESTMENT & DEVELOPMENT

Appendices 1-3 of this report are not for publication as they contain 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.

Reason for this Report

1. To present the outcome of the various processes undertaken by the Council in relation to the proposed transaction with Academy Music Group (AMG) for St David's Hall.
2. To seek approval to transfer the business of St David's Hall via a business sale agreement and enter into a full repairing and insuring 45-year lease with AMG for St David's Hall to protect the venue and to develop and maintain the music and cultural/community offer including the classical programme.

Background

3. In December 2022, Cabinet agreed in principle to enter into a business sale agreement and lease with AMG for St David's Hall and delegated authority to progress negotiations subject to (i) the findings of a budgetary consultation, (ii) the undertaking and findings of a consultation with affected staff in relation to a potential transfer under the Transfer of Undertaking (Protection of Employment Regulations 2006 (TUPE) as amended by the "Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) regulations 2014; and (iii) an assessment of best value. Following the above, the proposal was to return to Cabinet for a final decision on whether to proceed with the offer from AMG.

4. St David's Hall opened in September 1982 as the National Concert Hall and Convention Centre for Wales. The building is located in the Hayes in Cardiff city centre and can accommodate 2,000 people in the main auditorium, making it the city's second biggest venue outside of sporting stadia, and the largest venue dedicated to the arts. The venue was established to deliver a wide range of events and performances, including symphonic orchestral performances in a purposely designed setting, rock and pop, comedy, dance and conferences.
5. The building is currently owned, operated and funded by Cardiff Council and was developed by Seymour Harris Partnership with contractors John Laing & Son to provide a superlative performing arts and conference venue befitting the capital city of Wales. To that end, significant effort was undertaken to ensure that the building was appropriate for international classical music performances, working with renowned acousticians Sandy Brown to create the perfect conditions for audiences to enjoy a full symphony orchestra. As a result of this work St David's Hall has become world renowned for the acoustic quality of the hall, recognised as being amongst the top ten of the world's best sounding concert halls and one the UK's highest-ranking classical music venues.

Issues

6. Whilst St David's Hall remains a renowned classical music venue, it is slowly falling into a state of disrepair which threatens to undermine its reputation and on-going operation. The lack of national funding to support the venue has meant the burden of responsibility for maintaining the building and delivering the classical programme has fallen on the Council. The Arts Council of Wales withdrew the venue's *Revenue Funded Organization* status in 2014 which provided c£65k per annum over approved 5-year periods. Although the scale of this contribution was relatively modest, it did nonetheless represent a gesture of support for a facility of 'national' significance. The Arts Council for Wales does still provide ad-hoc funding towards the classical series of £99k per annum, through Arts Active, however this funding is required to be applied for each year.
7. Despite the Council's sustained and significant financial contribution towards the venue (over an extended period of 40 years) the operational budget has not been sufficient to both protect the delivery of the classical/community programme and to release investment to maintain and modernize the building. The Council has only been able to afford to implement a basic maintenance programme to cover general wear and tear amounting to circa £2m of capital and circa £600k of revenue over the last 10 years. This has become increasingly insufficient as the building has grown older.
8. The scale of capital investment required to address both the short-term repairs, the longer-term maintenance backlog, and general modernisation to ensure a good quality provision consistent with industry standards, is not available from within existing Council resources and any borrowing to fund the works would have a significant additional revenue implication on the Council at a time when many services are facing significant financial pressures.

9. The allocated revenue subsidy from the Council for St David's Hall is £688,700 in the current year. However, the venue regularly achieves lower box office revenue than forecast and as such the actual level of Council financial support regularly exceeds £1m per annum. The unallocated budget spend is required to be absorbed within wider directorate budgets and each year this is becoming increasingly difficult to achieve due to the growing pressure on Council budgets.
10. For nearly a decade, since the onset of public sector austerity, the Council has been keen to identify ways to reduce the burden of St David's Hall on the public purse. In 2016, the Council undertook a full OJEU Competitive Dialogue public procurement process to identify an external operator for both St David's Hall and the New Theatre, which at the time were managed as one combined entity. Although the process generated interest from the market, it was clear that the interest was contingent on the Council retaining full responsibility for the maintenance of St David's Hall. There was strong interest in the New Theatre as a separate going concern and in 2019 the Council separated the operation of the two venues and proceeded with a strategy which secured an external operator for the New Theatre only, through a property lease.
11. The level of subsidy of the classical/community programme has had a consequential knock-on effect on the level of investment the Council has been able to make towards the maintenance and modernisation of the building. As the building has grown older, the maintenance backlog has grown more significant, with the Council only able to support general day to day repairs. In December 2021, following the update to Cabinet on the condition of the building, Cabinet requested the development of an Outline Business Case for St David's Hall that would consider the options for dealing with the implications of the condition survey and seek to remove or at least reduce the operational subsidy.

The AMG Offer

12. The lease and business sale agreement with AMG is set out in detail at **Confidential Appendix 1**. The key elements of the documents include:
 - Allowing AMG, as tenant, to operate the venue as an independent commercial enterprise.
 - A commitment to take on full responsibility for the building, taking the liability away from the Council and removing the need for the Council to provide any financial contribution towards the up-keep and operation of the building.
 - A commitment to retain and provide a long-term future to the National Concert Hall of Wales, including the on-going use of the name St David's Hall in English and Welsh, whilst optimising the overall event calendar.
 - A commitment to allocate a minimum of 60 days within the peak event calendar to accommodate key classical events and a minimum of 20 further

days outside peak dates. The off-peak commitment extends to 30 days every other year to accommodate the BBC Cardiff Singer of the World event. These dates would be secured annually in the event calendar over the full term of the lease. The offer is not intended to limit the number of days, but rather to guarantee a set minimum to the classical/community programme.

- A commitment to maintain the venue's key musical instruments including the Steinway pianos and the St David's Hall organ.
- AMG will also enter into a Memorandum of Understanding Agreement (MOU) with the key classical stakeholders to develop an optimum classical and community programme. The Draft MOU is attached at **Confidential Appendix 5** and whilst not legally binding, it reflects a clear intention of the parties to work together in a collaborative manner. Dialogue is progressing well with all stakeholders and it is intended that the MOU will be entered into at the same time as the lease.
- A commitment to employ existing Council employees currently working at St David's Hall on existing terms via the application of the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE).

Completing the Process

13. Following Cabinet's 'in-principle' approval of the proposed transaction with AMG provided in December 2022, a number of further investigations were required to be undertaken before a further report could be presented to Cabinet for a final decision to proceed. These are set out below:

Public Consultation

14. A consultation on the proposal was undertaken with the public through the 2023/24 budget consultation process. The response from residents indicated that they were not opposed to the proposal to enter into a long-term lease with AMG.

Staff Consultation

15. There are currently 37 FTE at St David's Hall for which TUPE will apply. This is made up of 48 posts and involves 47 individuals. There are also a number of casual workers (non-guaranteed hours) for which TUPE will also apply.
16. The Council is committed to ensuring that staff transferring to AMG will not be in detriment. Initial engagement has taken place with staff and this will be followed by formal consultation as part of the TUPE process if the proposed transfer is approved by Cabinet. Further details are provided in the HR Implications section below.

Nature of the transaction

17. The Council has received King's Counsel advice that the proposal relates to a property transaction and therefore does not involve an activity governed by the procurement rules. Further advice on this is set out at **Confidential Appendix 1**.
18. A Voluntary Ex Ante Transparency Notice (VEAT) was published by the Council on 5 June 2023. The notice aims to provides transparency to the market on the arrangements to be entered into with AMG and set out the Council's justification as to why those arrangements do not fall within the scope of the procurement rules. In response to the VEAT Notice, one organisation sent a letter to the Council on 29 June 2023 requesting further information in relation to the proposed transaction with AMG. The letter is attached as part of **Confidential Appendix 1**, alongside the Council's detailed response.

Best Value

19. In May 2023, the Council undertook a market exercise facilitated by independent advisors which invited interested parties to submit offers for the opportunity to acquire St David's Hall. The Council received no formal offers as a result of this market exercise. An overview of the process is set out at **Confidential Appendix 2**.
20. Following analysis of the wider market and advice from the Council's independent advisors set out at **Confidential Appendix 3** it is concluded that the essential terms of the proposed transaction with AMG represent best value. Since the critical element of the consideration likely to be received by the Council is the carrying out of the essential works required for St David's Hall to continue to operate, the lease requires the works to be undertaken within an appropriate timescale.

Welsh Language

21. The Council has emphasised from the start of this process and in all negotiations, that the Council would wish for the new operator to offer the same opportunities for the use of the Welsh Language at the venue, to follow Welsh Language Standards applicable to the Council and other public bodies in Wales, and to agree a policy to support this work.
22. AMG has agreed to meet the same standards for the Welsh Language as would be expected of the Council.

Next Steps

23. The Council is required to undertake full TUPE engagement with all employees prior to entering the lease and business sales agreement with AMG.
24. The Council is required to complete the MOU with classical stakeholders.

25. At the appropriate time, the Council will enter into the lease and business sale agreement with AMG.
26. Conclude work-streams to determine Tax implications and structure for transaction.

Reasons for Recommendation

27. To establish a sustainable long-term future for St David's Hall, the National Concert Hall of Wales and to protect the delivery of the classical music/community programme.

Financial Implications

28. The report seeks approval for the Council to enter into a business sale agreement and a full repairing and insuring 45-year property lease with AMG as tenant for the operation of St David's Hall as an independent commercial enterprise. Confidential Appendix 1 sets out the draft detailed terms for the lease and an associated business sale agreement.
29. It should be noted that the proposal is still subject to completion and agreement of the lease Heads of Terms to include final detail of the transfer of building liabilities and the transfer of relevant staff under TUPE regulations.
30. Confidential Appendix 5 also details a draft Memorandum of Understanding (MOU) under which AMG would also commit to develop a classical and community programme. It is intended that the MOU once finalised will be entered into at the same time as the property lease.
31. Subject to this final detail, the proposal is aimed at the removal of the ongoing operating subsidy to the Council with a current annual revenue budget set at £688,700. It is proposed that the Arts Active Programme will continue to be provided by the Council and therefore the revenue saving achievable in line with the current draft heads of terms and business sale agreement is likely to be in the region of £500,000 per annum.
32. The earlier report to Cabinet in December 2022 highlighted that a detailed condition survey carried out in 2021 is noted to have identified several significant issues relating to the fabric of the building with the value of these works exceeding available capital budgets. The report additionally noted that temporary building management and health and safety strategies in place are only suitable for the short term and in advance of permanent remediation.
33. Additional borrowing to the extent of funding required to carry out essential works would have a very significant impact on the existing revenue budgets of the Directorate and would necessitate the identification of additional alternative revenue savings proposals.

34. The property lease as it is currently drafted would require no Council capital investment, no future buildings liability, and no committed annual revenue payments or subsidy to the new tenant. The draft offer also provides for the continuation of the classical programme requiring no on-going contribution from the Council.
35. It may be necessary for the Council to undertake refurbishment of some assets (particularly instruments) prior to any transfer. The extent of any such obligations on the Council should be clearly identified and agreed as part of the final contract. This would also need to be agreed and form part of future budget setting processes for both capital and revenue budgets. The Council will also need to be satisfied that, taking account of any such obligations and the value of any assets transferred under the business sale agreement, the proposal to effect such transfer for nominal consideration remains consistent with the overall best value rationale.
36. The recommendation provides for the transfer of all staff associated with St David's Hall under TUPE regulations. This and any Pension Fund implications in relation to any transfer of responsibilities will need to be fully set out as part of the completion of the proposed business sale agreement.
37. The timing of the transfer, staff consultation and exact detail of the legal agreements may also have an impact on the achievability of budget savings for 2023/24 and any ongoing liabilities for the Council and will need to be reviewed accordingly as part of the finalisation of the contractual terms.
38. Initial VAT advice received by the Council on the status of the lease suggests that any potential future Council contribution may be subject to VAT. Therefore, in such an arrangement and in order for the Council to recover this VAT, the Council will need to exercise an option to tax over the whole site prior to any completion of the lease, in order that any interests in land granted are taxable rather than exempt supplies. In principle, this would allow for VAT recovery on any costs directly associated with these interests. Similarly, the Council has included a clause that the operator cannot dis-apply the option to tax in relation to the Land and will not do, or cause to be done, or omit to do anything which could lead to the option to tax being revoked or dis-applied by operation of law or otherwise.
39. It is proposed prior to the finalisation of the contract that a workstream is established to consider and determine the optimum tax structure for the transaction in order to protect the Council's interests in this regard.
40. Legal advice with regard to the draft Heads of Terms are set out in Confidential Appendix 1.
41. Prior to agreeing the recommendations within this report and prior to the finalisation of any lease agreement, decision makers should ensure that they are satisfied with the findings in this regard.

42. Further consideration will be given to the legal, procurement and tax implications of the report proposals as the documentation is finalised and in order to ensure that the structure of any final contract sufficiently protects the Council's interests.

Legal Implications

43. Legal advice in relation to the proposed transaction is set out at **Confidential Appendix 1**. This advice is confidential and privileged.
44. Prior to agreeing the recommendation sought within this report, decision-makers should ensure that they are satisfied with the findings in relation to the legal advice.
45. Section 123 of the Local Government Act 1972 enables the Council to dispose of land "in any manner they wish", provided that best consideration is obtained, for any interest for a term exceeding 7 years (or an assignment which still has more than 7 years to run). Disposals of land for more than 7 years for less than best consideration require the consent of the Welsh Parliament, unless the disposal falls within the NAFWC 41/2003 Local Government Act 1972: General Disposal Consent (Wales) Order 2003. This general consent permits a disposal for less than the best consideration that can reasonably be obtained where the following conditions are met:
- a) the Council considers that the purpose for which the interest in the land is to be disposed is likely to contribute to the achievement of any one or more of the following objects in respect of the whole or any part of its area, or of all or any persons resident or present in its area:
 - i. the promotion or improvement of economic well-being;
 - ii. the promotion or improvement of social well-being;
 - iii. the promotion or improvement of environmental well-being;and
 - b) the difference between the unrestricted value of the interest to be disposed of and the consideration accepted does not exceed £2,000,000 (two million pounds).
46. The Council intends to grant a lease for a term in excess of 7 years and accordingly, an independent surveyor has assessed whether the offer the Council has been presented with for the leasehold transaction represents the best consideration reasonably obtainable.
47. The legal advice at **Confidential Appendix 1** includes two opinions from Counsel addressing issues of procurement law and the Council's obligations under s123 LGA, as well as any issues concerning subsidy control. Following receipt of Counsel's most recent opinion the issues have been discussed

further with him, leading to various recommendations within this report as to points to be addressed before the transaction is finalised.

48. In coming to its decision, the Cabinet needs to take account of the Council's fiduciary duties to local residents and taxpayers.
49. The Cabinet must also make its decision having due regard to the Council's public sector equality duties pursuant to the Equality Act 2010 (including specific Welsh public sector duties). This requires the Council, in the exercise of its functions, to have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. The protected characteristics are: age, gender reassignment, sex, race - including ethnic or national origin, colour or nationality, disability, pregnancy and maternity, marriage and civil partnership, sexual orientation, religion or belief — including lack of belief.
50. An Equalities Impact Assessment has been undertaken. The findings are outlined within the Single Impact Assessment, see **Appendix 5**.
51. The Well-Being of Future Generations (Wales) Act 2015 ("the Act") places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales — a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.
52. In discharging its duties under the Act, the Council has set and published wellbeing objectives designed to maximise its contribution to achieving the national well-being goals. The well-being objectives are set out in Cardiff's Corporate Plan 2022-25.
53. The well-being duty also requires the Council to act in accordance with the 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without comprising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:
 - Look to the long term;
 - Focus on prevention by understanding the root causes of problems;
 - Deliver an integrates approach to achieving the 7 national well-being goals;
 - Work in collaboration with others to find shared sustainable solutions; and
 - Involve people from all sections of the community in the decisions which affect them.

54. The Cabinet must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible here:

<http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>

55. The Council has to be mindful of the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards when making any policy decisions and consider the impact upon the Welsh language.

Procurement Law

56. Detailed procurement advice in relation to the proposed transaction is set out in **Confidential Appendix 1**.

Employment Law

57. The Council currently employs 47 employees to deliver the Music and Arts programme at St David's Hall.

58. There is the potential for some or all of those employees to transfer from the Council to AMG under the Transfer of Undertakings (Protection of Employment Regulations 2006) (TUPE) and, in any event, the lease and business sale agreement provide for the Council and AMG to treat all employees currently employed by the Council at the venue as transferring under TUPE. The expectation under the business sale agreement AMG is therefore that, whilst AMG would be responsible for those employees after the transfer, the Council would provide certain warranties and indemnities to AMG including for: all employee costs arising pre transfer; claims from transferring staff arising from pre transfer acts and omissions of the Council when the Council was their employer; and the risk of staff who have not been identified as being in scope to transfer alleging they should also transfer. The Council would also have obligations under TUPE to inform, and potentially consult, with the affected staff' representatives in relation to the transfer.

Property Implications

59. All property implications are contained within the body of the report.

HR Implications

60. The legal implications set out in this report explain the TUPE requirements and pension implications. In addition to the requirements under the (Transfer of Undertakings (Protection of Employment Regulations) (TUPE), the requirements of the Welsh Government's Code of Practice on Workforce Matters the Code) must be met.

61. The Code is designed to ensure that where public services are outsourced to a third party (including the private or third sector) and staff transfer: (a) TUPE will apply, and if TUPE does not strictly apply, the principles of TUPE will be followed unless there are exceptional reasons for not doing so; and (b) staff of the service provider (whether newly recruited or existing staff) undertaking work on that contract will be employed on terms and conditions which are no less favourable than those of transferred staff, with the exception of pension arrangements where reasonable pension provision must be made as indicated in the Code. The Code requires the contracting authority, in this case the Council, to monitor the implementation of the Code by service providers wherever it applies, and to provide an annual report to the Welsh Government.
62. Agency workers at St David's Hall that have been continuously engaged in the same role for a fixed number of hours per week for the last 4 years, and those that have been doing the same for a period of 2 years, will be offered contracts of employment in accordance with the Fair Worker Policy (either permanent contract or temporary). This will mean that they will be covered by the TUPE legislation. AMG would need to determine for themselves the future use of Agency workers.
63. Cleaning employees within the Resources Directorate that are allocated duties in St. David's Hall are likely to be in scope to transfer to the incoming employer. Consultation will need to take place with managers within the Resources Directorate to ascertain if TUPE will apply. If this group are wholly engaged in the provision of cleaning services to St. David's Hall and are considered to be "in scope", they will need to be engaged in the formal consultation process.
64. The Local Government Pension Scheme Regulations allows for the incoming employer to join the scheme by virtue of entering into a tripartite Admission Agreement with the outgoing employer and the Administering Authority, in this case, Cardiff and Vale of Glamorgan Pension Fund. The Council as the outgoing and scheme employer has the responsibility of ensuring that the whole process is undertaken in a timeframe that allows for continued scheme membership of the transferred employees, ensuring that no employee is placed at risk of suffering a break in pensionable membership.
65. Many of the clauses contained within the Admission Agreement will be statutory provisions prescribed by the Local Government Pension Scheme Regulations; others will be additions requested by the Council as the scheme employer or the outgoing employer as the Transferee Admission Body and agreed by all parties. It is important that sufficient time is allocated prior to a TUPE transfer to allow for completion of the Admission Agreement.
66. Employees who transfer from the outgoing employer (the Council) to the incoming employer (AMG) are not regarded as dismissed under TUPE, therefore, a transfer does not trigger an entitlement to redundancy pay unless there is an actual dismissal.
67. The incoming employer will be required to take over any collective agreements made by or on behalf of the outgoing employer in respect of the transferring

employees which are in force at the point of transfer. These will include terms and conditions of employment negotiated through collective bargaining as well as wider employment relations agreements; examples include, collective disputes procedure, negotiated redundancy procedures, flexible working arrangements etc. The incoming employer are not however bound by post-transfer collectively agreed terms which they have not negotiated.

68. The Council as the outgoing employer, may, should they choose, offer alternative vacancies to any employee who is (objecting or otherwise) and who is assigned to the group but does not wish to transfer to the incoming employer. In such circumstances, the Council's normal recruitment and selection procedures would apply.
69. The trade unions, employees and agency workers have been briefed on the recommendations set out in this report. Should Cabinet agree to the recommendations, a formal consultation period will commence with employees who are in scope to transfer to AMG under the Transfer of Undertaking (Protection of Employment) Regulations (TUPE). Trade union colleagues will be invited to attend employee consultation meetings and will be fully briefed throughout the transfer process.

RECOMMENDATION

Cabinet is recommended to:

- 1) Delegate authority 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. complete the MOU with stakeholders based on the principles set out in the draft MOU attached at **Confidential Appendix 1**;
 - b. complete the lease and associated documents as set out at **Confidential Appendix 1**;
 - 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 as set out at **Confidential Appendix 1**;
- 2) Authorise the transfer of [all] employees to AMG under the Transfer of Undertaking (Protection of Employment Regulations 2006) (TUPE).

| | |
|-----------------------------------|---|
| SENIOR RESPONSIBLE OFFICER | Neil Hanratty Director of Economic Development |
|-----------------------------------|---|

| | |
|--|-------------|
| | Date |
|--|-------------|

The following appendices are attached:

Appendices

Confidential Appendix 1 - Legal Advice & Agreements

Confidential Appendix 2 - Market Exercise Summary

Confidential Appendix 3 - Surveyors Letter

Appendix 4 - Single Impact Assessment

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Cardiff Council

Single Impact Assessment



1. Details of the Proposal

| | |
|------------------------------|---|
| What is the proposal? | |
| Title: | For a new tenant to run St David's Hall. Academy Music Group would like to commit to a 45-year property lease to operate the venue. |

| | |
|--|-------------------------------------|
| Is this a new proposal or are you amending an existing policy, strategy, project, procedure or service? | |
| New | <input checked="" type="checkbox"/> |
| Existing | <input type="checkbox"/> |

| | |
|----------------------------------|--|
| Directorate/Service Area: | |
| Economic Development | |

| | |
|--|--|
| Who is developing the proposal? | |
| Name: | Chris Barnett |
| Job Title: | Operational Manager for Major Projects |

| | |
|---|--|
| Responsible Lead Officer (Director or Assistant Director): | |
| Director of Economic Development, Neil Hanratty | |

| | |
|---------------------------|--|
| Cabinet Portfolio: | |
| Culture, Parks and Events | |

The Single Impact Assessment (SIA) can be strengthened as time progresses, helping shape the proposal. Version control will provide a useful audit trail of how the SIA has developed. Draft versions of the assessment should be retained for completeness, however only the final version will be publicly available. Draft versions may be provided to regulators if appropriate.

| Version | Author | Job Title | Date |
|---------|---|-------------------|------------|
| 1 | Chris Barnett | OM Major Projects | 11/06/2023 |
| 2 | Updates following feedback from Equalities, Child Friendly & Welsh Language teams | | 26/06/23 |
| | | | |
| | | | |
| | | | |

2. Overview of the Proposal

What action is the Council considering and why?

Please provide an outline of the proposal.

The action the Council is taking is to secure a future for St David’s Hall/ Neuadd Dewi Sant, including protecting the classical and community music programme that St Davids Hall/Neuadd Dewi Sant has become renowned for. In addition to this, the ambition is to improve the contemporary music offer, ensuring that the people of Cardiff, Wales and beyond can access the most relevant contemporary music, bands and acts synonymous with an Academy offer in the Capital of Wales.

This action is being taken because the venue requires tens of millions of pounds of investment, improved front of house facilities and an improved music and community programme. After 10+ years of austerity, the Council is facing an additional £24million budget gap this year, therefore is committed to a positive course of action to secure the future of this nationally important venue.

In December 2022, a report to Cabinet stated that the Council was considering an unsolicited offer from AMG to take over operation of St David’s Hall without subsidy and to take away all the building’s risks and liabilities from the Council. The report stated that AMG has given a firm commitment to work to enhance the venue’s reputation as the National Concert Hall of Wales by continuing to maintain and develop the classical music programme to protect the classical series. This would be alongside the introduction of AMG’s Academy music venue. In the proposed deal both a classical and community programme would be protected, which includes supporting important events and activity relating to culture in Wales and Welsh culture itself. Please note this is a property lease transaction and not the sale of the Property. Also note, this property transaction has been developed in line with legal advice from Kings Counsel on what can legally be included as part of transaction on this kind.

The Outline Business Case sets out that AMG will operate the venue without subsidy whilst also investing in the building and protecting the classical programme. AMG can achieve this, where the Council has been unable to, by introducing their Academy product to St David’s Hall. This will transform the venue’s commercial programme and significantly improve commercial revenue.

The December 2022 report to Cabinet set out that, if the Council is minded to proceed with the proposed contract, then the Council intend to publish a VEAT notice (Voluntary Ex-Ante Transparency Notice) to advise the market of the offer that has been made, to enable other suppliers to challenge the decision.

A question on the future management of St David's Hall was included in the consultation on the 2023/24 Budget Proposals. The Budget 2023/24 report to Cabinet, in March 2023, highlighted that the budget consultation found that, in response to a question seeking views on a new partner to run St David's Hall, the responses received were 59% in support and 26% against.

Additional to this process to ensure best value is achieved, in April 2023, a marketing exercise took place, inviting offers from experienced and qualified theatre, arts and venue services organisations interested in leasing and operating St David's Hall.

The marketing exercise has concluded; no bids were received that would take on the building liability and the classical commitments.

The Council subsequently published a VEAT notice as planned.

What are the costs and/or savings?

What will the proposal cost and how will it be funded?

How might costs be reduced through involvement and collaboration, across Cardiff Council and/or with external stakeholders?

Are there savings and how will these be realised?

The investment needed in St Davids Hall is estimated at £38million pounds. The proposed new tenant would need to agree that they commit to manage and, where relevant repair the defects identified over the course of the proposed 45-year lease.

A new tenant would also remove the annual subsidy needed for St David's Hall from the Council. Currently there is a budgeted operating subsidy of £688,700 per annum, which is regularly exceeded, with subsidy levels of £1m+

3. Impact Assessments

Which impact assessments do you need to complete to support your proposal?

| Impact Assessment | Page | To be completed: Y/N |
|---------------------------------------|------|----------------------|
| A. Equality Impact Assessment | 5 | Y |
| B. Child Rights Impact Assessment | 12 | Y |
| C. Welsh Language Impact Assessment | 16 | Y |
| D. Habitats Regulations Assessment | | N |
| E. Strategic Environmental Assessment | | N |
| F. Data Protection Impact Assessment | | N |
| G. Health Impact Assessment | | N |

For further information on all the above impact assessments including who to contact for advice, please visit the [Policy Portal](#).

A: Equality Impact Assessment

Guidance in completing this assessment can be accessed [here](#). Please consult the Equality Team for any further assistance with completing this assessment EqualityTeam@cardiff.gov.uk

Impact on the Protected Characteristics

Age

Will this proposal have a **differential impact [positive/negative]** on younger/older people?

| | Yes | No | N/A |
|----------------|-----|----|-----|
| Up to 18 years | ✓ | | |
| 18 - 65 years | ✓ | | |
| Over 65 years | ✓ | | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The proposed new tenant, Academy Music Group (AMG) seeks to expand the diversity of acts/events by bringing an Academy product to the city centre which would have a positive impact to all age groups. An Academy product would bring to St. David's Hall new and different music genres, acts and performances that would not have taken place at the venue previously.

The existing overall programme at St David's Hall, needs to be developed to reach more of our diverse communities in Cardiff and Wales and younger audiences to better reflect the demographic of the city. The plan to optimise the programme to reflect this would better serve cultural equality in Cardiff and Wales.

AMG also offer a commitment to developing and enhancing the classical and community programme. This will be supported by a Classical Music Stakeholders board, that will work to develop the Classical and Community programme at St David's Hall. As well as developing the programme, the group will work to protect and sustain what concerts are culturally important to communities in Cardiff and Wales.

What action(s) can you take to address the differential impact?

No action required.

Disability

Will this proposal have a **differential impact [positive/negative]** on disabled people?

| | Yes | No | N/A |
|---------------------|-----|----|-----|
| Hearing Impairment | ✓ | | |
| Physical Impairment | ✓ | | |

| | | | |
|---|---|---|--|
| Visual Impairment | ✓ | | |
| Learning Disability | | ✓ | |
| Long-Standing Illness or Health Condition | ✓ | | |
| Mental Health | | ✓ | |
| Substance Misuse | | ✓ | |
| Other | | ✓ | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The AMG proposal would result in significant investment to the building thus improving and modernising front of house & communal areas.

Investment to these areas of the building, would likely result in improvements to physical access, making it easier for those with physical impairments / long standing health conditions and potentially to those with visual and hearing impairments, with the installation of for example, improved lighting.

What action(s) can you take to address the differential impact?

Accessibility improvements.

Gender Reassignment

Will this proposal have a **differential impact [positive/negative]** on transgender people?

| | Yes | No | N/A |
|--|-----|----|-----|
| Transgender People (People who are proposing to undergo, are undergoing, or have undergone a process [or part of a process] to reassign their sex by changing physiological or other attributes of sex) | ✓ | | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

AMG investment the building would result in significant upgrade and modernisation of communal areas. This presents an opportunity for the provision of gender-neutral facilities which would have a positive impact.

AMG are also committed to providing a more contemporary programme, better reflecting audiences of today, booking more diverse artists and musicians that would have a wide appeal to LGBTQ+ audiences.

What action(s) can you take to address the differential impact?

Accessibility improvements. Expanded provision and diversity of performances.

Marriage and Civil Partnership

Will this proposal have a **differential impact [positive/negative]** on marriage and civil partnership?

| | Yes | No | N/A |
|-------------------|-----|----|-----|
| Marriage | | ✓ | |
| Civil Partnership | | ✓ | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

No differential impact.

What action(s) can you take to address the differential impact?

No action required.

Pregnancy and Maternity

Will this proposal have a **differential impact [positive/negative]** on pregnancy and maternity?

| | Yes | No | N/A |
|-----------|-----|----|-----|
| Pregnancy | | ✓ | |
| Maternity | | ✓ | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

No differential impact.

What action(s) can you take to address the differential impact?

No action required.

Race

Will this proposal have a **differential impact [positive/negative]** on the following groups?

| | Yes | No | N/A |
|--------------------------------|-----|----|-----|
| White | ✓ | | |
| Mixed / Multiple Ethnic Groups | ✓ | | |
| Asian / Asian British | ✓ | | |

| | | | |
|---|---|--|--|
| Black / African / Caribbean / Black British | ✓ | | |
| Other Ethnic Groups | ✓ | | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

AMG seeks to expand the diversity of acts/events by bringing an Academy product to Cardiff/Wales. This programme will include music genres not regularly part of the St. David's Hall offer. Expanding appeal to community groups that don't currently feel the venue is for them and therefore this would result in a positive impact in terms of access and diversity of programme.

What action(s) can you take to address the differential impact?

Expanded provision and diversity of performances.

Religion, Belief or Non-Belief

Will this proposal have a **differential impact [positive/negative]** on people with different religions, beliefs or non-beliefs?

| | Yes | No | N/A |
|-----------|-----|----|-----|
| Buddhist | ✓ | | |
| Christian | ✓ | | |
| Hindu | ✓ | | |
| Humanist | ✓ | | |
| Jewish | ✓ | | |
| Muslim | ✓ | | |
| Sikh | ✓ | | |
| Other | ✓ | | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

A positive impact may be made with an expansion in programme diversity. This could result in a greater attendance / participation from all groups.

What action(s) can you take to address the differential impact?

Expanded provision and diversity of performances.

Sex

Will this proposal have a **differential impact [positive/negative]** on men and/or women?

| | Yes | No | N/A |
|-------|-----|----|-----|
| Men | | ✓ | |
| Women | | ✓ | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

No differential impact.

What action(s) can you take to address the differential impact?

No action required.

Sexual Orientation

Will this proposal have a **differential impact [positive/negative]** on the following groups?

| | Yes | No | N/A |
|-----------------------|-----|----|-----|
| Bisexual | ✓ | | |
| Gay Men | ✓ | | |
| Gay Women/Lesbians | ✓ | | |
| Heterosexual/Straight | ✓ | | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

AMG are also committed to providing a more contemporary programme, better reflecting audiences of today, booking more diverse artists and musicians that would have a wide appeal to LGBTQ+ audiences.

What action(s) can you take to address the differential impact?

Expanded provision and diversity of performances.

Socio-economic Duty

Is the change anticipated to reduce or contribute to inequality of outcome as a result of socio-economic disadvantage? (e.g. will the change negatively impact on those on low-incomes or those living in deprived areas)

| | Yes | No | N/A |
|-----------------------|-----|----|-----|
| Socio-economic impact | ✓ | | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

| |
|--|
| |
|--|

Ticket pricing structures may need to be looked at, accessing what is commercially viable. AMG are sensitive to what is affordable for diverse communities and have agreed to work with stakeholders to ascertain a reasonable ticket pricing offer.

What action(s) can you take to address the differential impact?

Work with partner stakeholders on ticket pricing arrangements. The new tenant and Music Stakeholders group will work to secure affordable ticket pricing and support packages, to ensure fair inclusion for those from less affluent backgrounds.

Welsh Language

Will this proposal have a **differential impact [positive/negative]** on the Welsh language?

| | Yes | No | N/A |
|----------------|-----|----|-----|
| Welsh language | | | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

Please refer to the Welsh Language Impact Assessment.

What action(s) can you take to address the differential impact?

Please refer to the Welsh Language Impact Assessment.

Consultation and Engagement

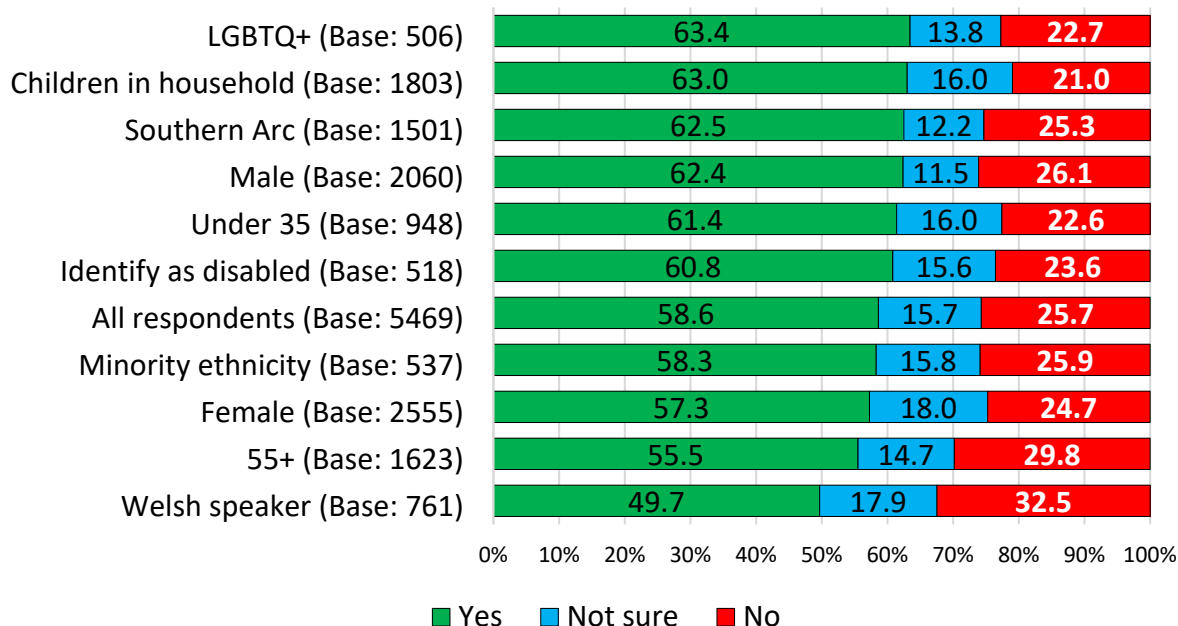
What arrangements have been made to consult/engage with the various equalities groups?

The 2023/24 Budget Proposals consultation in March posed a question to citizens to seek views on the proposal for St David’s Hall to be run under an alternative operating model whereby the Council would secure a long-term lease arrangement with a tenant, who would be required to maintain a classical and community programme and have an obligation to keep the premises open, safe and operational.

There were a total of 5,932 responses of which there respondents from a wide range of demographic groups. The results were overall supportive of the proposal with 58.6% of respondents (three in five respondents) supporting the proposal, this was double the proportion of those against (25.7%).

The below graph shows a summary of data gathered of responses from impacted groups:

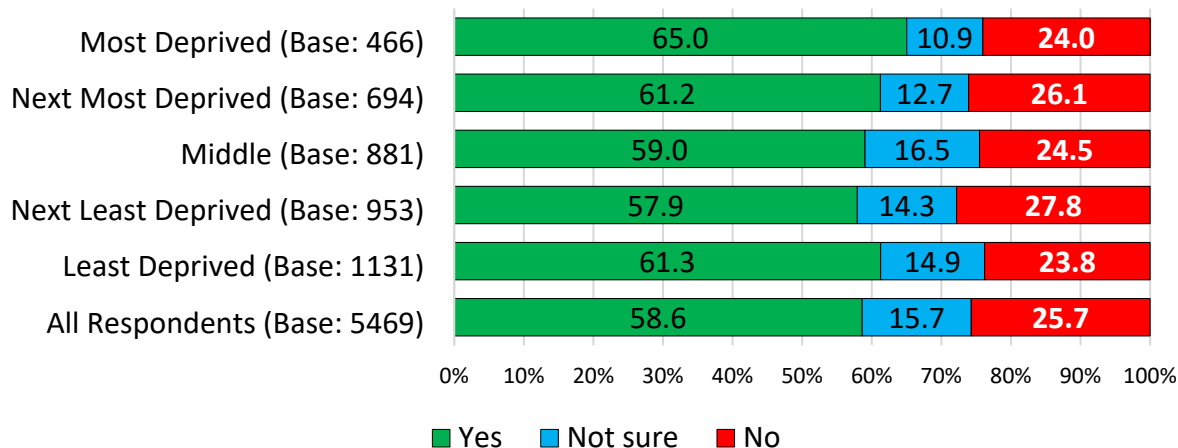
St. David's Hall: Do you support this proposal?



Notably, there was strong support for the proposals by those in a number of equalities groups; those identifying as LGBTQ+ (63.4%) and those with children in their household (63.0%) were most likely to support the proposal for St David’s Hall. Welsh speakers showed the highest level of opposition (32.5%), however close to 50% of respondents who identified as Welsh supported the proposal. A Welsh language Impact Assessment has been undertaken (please refer to Section C of this document).

There was no correlation with support for this proposal and level of deprivation:

St. David's Hall: Do you support this proposal?



The question regarding the future proposal for St. David’s Hall was also posed in a Youth Survey where questions were tailored for a younger audience and promoted via the Council’s schools and Child Friendly City engagement channels. Almost two-thirds (62.6%)

of those taking part in the Youth Survey supported the proposal for a long-term lease arrangement, a quarter (25.2%) were unsure, whilst almost one in eight (12.2%) opposed it. This demonstrates higher levels of support than the city-wide average. Some of the concerns highlighted by young people were around whether there would be a reduction in community events, price increases and a reduction in overall use of the venue.

Summary of Actions (Listed in the sections above)

| | Actions |
|---|---|
| Age | No action required. |
| Disability | Accessibility improvements |
| Gender Reassignment | Accessibility improvements. Expanded provision and diversity of performances. |
| Marriage & Civil Partnership | No action required. |
| Pregnancy & Maternity | No action required. |
| Race | Expanded provision and diversity of performances |
| Religion/Belief | Expanded provision and diversity of performances |
| Sex | No action required |
| Sexual Orientation | No action required |
| Socio-economic Impact | Work with partner stakeholders on ticket pricing arrangements |
| Welsh Language | See Welsh Language Impact Assessment below |
| Generic/ Over-Arching (applicable to all the above groups) | |

Next Steps

Any recommendations for action that you plan to take as a result of this Equality Impact Assessment (listed in Summary of Actions) should be included as part of your Service Area's Business Plan to be monitored on a regular basis.

On completion of this Assessment, please ensure that the form is submitted to the Equality Team mailbox so that there is a record of all assessments undertaken in the Council EqualityTeam@cardiff.gov.uk

B: CHILD RIGHTS IMPACT ASSESSMENT (CRIA)

Information or assistance in completing the CRIA, please email the Child Friendly Cardiff Team ChildFriendlyCardiff@cardiff.gov.uk



STAGE 1: PURPOSE/SCOPE

1. **What is the policy/strategy/project/procedure/service?
Summarise its overall aims and any aims specific to children.**

See Overview in part 2.

St. David's Hall offers a number of events and performances to children and young people, often offering the opportunity for young peoples' first public concert hall performance. We have evidence that many young people have gone on to enjoy significant success in the music industry after experiencing positive reactions at these concerts.

For 40 years, St David's Hall has offered performance opportunities for Youth Orchestras, School Orchestras, Young Choirs and community music organisations. We plan to protect and optimise this activity, through the Classical Stakeholders Advisory Boards MoU, which is tasked with developing youth music opportunities at St David's Hall.

As well as through our Cardiff Council and associated schools' music service provision, Cardiff Council will continue to employ staff members of Arts Active, who will transfer to our Council Education team, and develop work to align with the Cardiff Music Strategy and music education objectives.

The Arts Active Trust is an independent Trust set up to support the work of the Arts Active team. The Arts Active team are employed by Cardiff Council to deliver outreach programmes to promote the music and arts activities at St David's Hall and with other partners, to engage with the communities of Cardiff and beyond, to encourage interest in and the appreciation of music, performing arts and multi-disciplinary arts projects through participation, education and audience development.

Cardiff Council will be signing an MoU with the new tenant and a Classical Stakeholders Advisory Board, that will oversee youth programming development in line with the aspiration of optimising the overall classical and community programme at St David's Hall.

2. Please select the groups of children and young people who will be directly and/or indirectly impacted. Please review after completing the form.

| | |
|--|--|
| <input checked="" type="checkbox"/> Protected Characteristics | <input checked="" type="checkbox"/> EOTAS |
| <input checked="" type="checkbox"/> Young Parents | <input checked="" type="checkbox"/> Gypsy Travellers |
| <input checked="" type="checkbox"/> Children of Single Parents | <input checked="" type="checkbox"/> Asylum Seekers |
| <input checked="" type="checkbox"/> Southern Arc Children | <input checked="" type="checkbox"/> BAME Community |
| <input checked="" type="checkbox"/> Children of Deaf Parents | <input checked="" type="checkbox"/> Care Experienced |
| <input checked="" type="checkbox"/> Young Carers | <input checked="" type="checkbox"/> Pre-School |
| <input checked="" type="checkbox"/> Primary School | <input checked="" type="checkbox"/> Secondary School |
| <input checked="" type="checkbox"/> Welsh First Language | <input checked="" type="checkbox"/> Non-Native Speakers of English |
| <input checked="" type="checkbox"/> Set Locality | <input checked="" type="checkbox"/> Citywide |
| <input checked="" type="checkbox"/> LGBTQ+ | <input checked="" type="checkbox"/> ALN |
| <input checked="" type="checkbox"/> Youth Justice | Other - Click or tap here to enter other identified groups |

STAGE 2: BUILD AND ASSESS

The General Principles of the UNCRC (United Nations Convention on the Rights of the Child) are at the heart of a child rights approach. [This link](#) will take you to a page on our website with a full list of Children’s Rights and supporting information. [Click here](#) to access a list of articles grouped into common themes.

3. What is the likely/ actual impact of the proposal on children’s rights? Is it positive, negative, or neutral?

| <i>Describe the Impact</i> | <i>Impacted UNCRC Articles</i> | <i>Impact Scale</i> | <i>How to mitigate impact (if negative)</i> i - additional info |
|---|---|---------------------|--|
| The commitment to work with schools through our Music Services teams, Youth Orchestras and youth music organisations, as well as Arts Active Trust, all who typically provides art-related educational activities, aligns with the UNCRC's goal of education, which includes the development of a child's personality, talents, and mental and physical abilities to their fullest potential. | Article 29 (Goals of Education) | Positive | Click or tap here to add a mitigation. |
| The proposal's commitment to preserve a robust youth classical programme, accommodate community events, and introduce the AMG Academy music product will enrich local cultural offerings. This helps to ensure that children have access to a wide range of | Article 31 (Leisure, Play, and Culture) | Positive | Click or tap here to add a mitigation. |

| | | | |
|--|---|----------|--|
| cultural, artistic, and recreational activities, in line with Article 31. Particularly enhancing a more diverse music programme that will better appeal to today's young people and more relevant to possible music performance opportunities. | | | |
| The group will work with the Cardiff Music Board, who are tasked with creating opportunities for young people from disadvantaged and working-class backgrounds, to identify talent from these backgrounds and work with organisations to nurture diverse talent to develop, produce and perform. | Article 29 (Goals of Education) | Positive | Click or tap here to add a mitigation. |
| We recognise that potential increase in ticket prices due to the venue's transition to a commercial operation could make cultural events less accessible for some children, particularly those from less affluent backgrounds, conflicting with the intention of Article 31. | Article 31 (Leisure, Play, and Culture) | Negative | The new tenant and the Classical Music Stakeholders group, will work to secure affordable ticket pricing and support packages, to ensure fair inclusion for children from less affluent backgrounds. |

STAGE 3: VOICE AND EVIDENCE

4. How do you plan to review the policy/ strategy/ project/ procedure/ service to ensure that it respects, protects and fulfils children's rights? [i - additional info](#)

Cardiff Council are retaining an active role on the Classical Stakeholders Advisory group with the new tenant. Council Officers will work closely with our Education and Music Services Team and Arts Active members of Staff to develop, monitor and review this work and young peoples' opportunities at St David's Hall going forward.

5. Have you sourced and included the views and experiences of children and young people? What do you know about children and young people's views and experiences that are relevant to the proposal? [i - additional info](#)

As part of the Council's budget consultation process for 2023/2024, Cardiff citizens, were asked whether they would support the proposal for an Alternative Operating Model for St. David's Hall by securing a long-term lease arrangement with a tenant.

Overall, 58.6% of respondents to the survey supported the proposal to secure a long-term lease arrangement to manage St David's Hall, more than double the proportion of those against the proposal (25.7%). Within every demographic and income group analysed, more respondents supported the proposal than opposed it. The Budget consultations results were

based on robust sample size of 5,932 responses, including the responses of the Youth Survey designed to encourage engagement with young people.

The Council plans on securing a similar or enhanced offer for young people, schools orchestras, youth orchestras and community groups and intent to offer an exciting, optimised and enhanced youth programme with the new tenant.

STAGE 4: BUDGET

It is important to consider the resource and budgetary elements which are directly attributed to children and young people to enable oversight.

- 6. What is the budget for this policy/ strategy/ project/ procedure/ service?
In your answer, include any allocations specifically for children and young people and whether any of the budget will be used to mitigate negative impacts identified above.**

Booking arrangements for youth groups and young people will remain in line with what currently happens, costs will vary in line with inflation, the stakeholders group will champion reasonable booking costs and ticket pricing. Consideration will be given in special cases where community bookings are unaffordable to certain groups.

STAGE 5: IDENTIFIED ACTIONS

- 7. What actions have been identified or changes made to the policy/ strategy/ project/ procedure/ service as a result of this assessment? [i](#) - additional info**

Click or tap here to enter text.

C: Welsh Language Impact Assessment

Please consult with Bilingual Cardiff for any assistance with completing this assessment
Bilingualcardiff@cardiff.gov.uk

Welsh Language Standards 88-97

Standard 88

Will this proposal have a **differential impact [positive/negative]** on:

| | Yes | No | N/A |
|---|-----|----|-----|
| The opportunities for persons to use the Welsh language? | | ✓ | |
| Treating the Welsh language no less favourably than the English language? | ✓ | | |

Please give details/ consequences of the differential impact, and provide supporting evidence, if any.

There will be a continuing and positive impact on Welsh Language provision if AMG become the new tenant of St David's Hall/Neuadd Dewi Sant. The new tenant will be obliged in the Lease to comply with a Welsh Language Policy which will contain the Welsh Language Standards that are currently followed at St Davids Hall/Neuadd Dewi Sant.

A Memorandum of Understanding (MoU) between AMG, the Council and Classical Music Stakeholders will also be entered into, to support the Classical and Community programme, which will help protect important Welsh Culture activities that are currently established in the programme.

Stakeholders include:

- BBC National Orchestra and Chorus of Wales
- BBC Cardiff Singer of the World
- Welsh National Opera
- An Independent Classical Music Advisor
- Royal Welsh College of Music and Drama
- Cardiff Philharmonic Orchestra
- Cardiff Council
- Academy Music Group

Copies of the property lease and the MoU will be submitted with this assessment.

The proposed lease states:

- The Tenant must comply with the Welsh Language Policy for the Property as approved by the Council. The parties shall review the Language Policy on a regular basis (not more than once per calendar year) and discuss and agree any additional steps or actions either the Landlord or the Tenant could reasonably take to further develop the Language Policy.

The MOU states:

- will commit to using the Welsh language in line with legal and statutory requirements to support the classical music programme in Wales.

This is in addition to the community programme, that will deliver many aspects of supporting Welsh Culture and the Welsh Language, supported by Stakeholders and the work of Arts Active staff, that will assist with the community programming and ensure all parties maintain their commitment to Welsh Language standard legislation.

Note – that primary stakeholders are publicly committed to the use of the Welsh Language and are guided by their own Welsh Language policy.

Standard 89

Could this proposal be formulated or re-formulated, so that it would have positive effects, or increased positive effects, on:

The opportunities for persons to use the Welsh language?

We are working to secure a future for St Davids Hall/Neuadd Dewi Sant. Securing the investment needed will help protect the future for the building and its continued use as a concert hall, this proposal is working to ensure the venue stays open, safe and stays operating.

The MoU as referred to above will be implemented by an expert stakeholders group, that will advise and have significant input into the direction of the classical and community programme at the hall. The organisations involved, all have a deep commitment to Welsh Culture and promoting the Welsh Language, as well as committed to complying with Welsh Language standards.

This stakeholder group will help develop a work programme to enhance the classical and community programme in the venue, that will ensure concerts and activity that promotes Welsh Culture, Welsh Music, Welsh celebratory concerts and Welsh schools and Youth music concerts can continue to be enjoyed and developed at the venue.

The tenant will continue to employ staff who are fluent in the Welsh Language, offering the same box office Welsh Language engagement offer that currently exists.

Welsh Language programme notes will continue to be offered as they are now, where relevant for classical and community concerts.

The need for bilingual signage is recognised by the proposed new tenant.

The new tenant is familiar with Welsh Legislation, including the Well Being and Future Generations act and the commitment to the Welsh Language in that legislation.

The new tenant is familiar with the Welsh Language Standards legislation and is happy to continue to follow that in St David's Hall.

The Council has recommended that the new tenant retains the name St David's Hall and Neuadd Dewi Sant as part of any rebranding exercise.

Treating the Welsh language no less favourably than the English language?

The new tenant will be obliged to operate in accordance with Welsh Language Standards, as the Council, currently does.

Standard 90

Could this proposal be formulated or re-formulated to ensure that it does not have adverse effects, or a decreased adverse effect, on:

The opportunities for persons to use the Welsh language?

Please note the points made in Standard 88 and Standard 89, which outlines stakeholders' commitment to the classical and community programme.

Since the beginning of this process, the Council has been emphatic of the importance of the Welsh Language to the classical and community programme of St David's Hall. Therefore, all work and conversations have been based on that any new arrangement would not have an adverse effect on a person's opportunity to use the Welsh Language.

Treating the Welsh language no less favourably than the English language?

Please refer to points made above regarding lease, MoU and Stakeholders programme of work. To clarify, these arrangements mitigate against a decreased effect on opportunities for people wanting to use the Welsh Language at that venue.

Standard 91

When consulting on the proposal, were views considered, and sought, on the effects (both positive and negative) that it would have on:

The opportunities for persons to use the Welsh language?

The Council has emphasised from the start of this process and in all negotiations, that the Council would wish for any new operator to offer the same opportunities for the use of the Welsh Language at the venue, follow Welsh Language Standards and agreeing a policy to support this work.

The Council will require AMG to act like the Council would have to on this specific issue.

The Council remains on the Classical Music Stakeholders group, along with BBC National Orchestra of Wales, BBC Cardiff Singer of the World, Welsh National Opera, Cardiff Philharmonic the Royal Welsh College of Music and Drama and the Academy Music Group.

Reassurance was communicated to the Director of BBC Cymru Wales on the continuation of a St David's Hall bilingual offer by the Council, when the BBC enquired on what approach a new

tenant might take in respect of complying with Welsh Language Standards for the Classical and Community programme.

The conversations also involved ticketing, show notes and programmes produced by the stakeholders. Reassurances have been given by AMG on all accounts.

Treating the Welsh language no less favourably than the English language?

Yes, this was looked at and the current position, is the Welsh Language would be treated no less favourably.

Standard 92

Did the consultation seek and give consideration to views on how the proposal could have positive, or increased positive effects, on:

The opportunities for persons to use the Welsh language?

Yes, as above, to reiterate, the positive effects can be managed through the MoU.

Treating the Welsh language no less favourably than the English language?

Yes, this was looked at and the current position, is the Welsh Language would be treated no less favourably.

Standard 93

Did the consultation seek and give consideration to views on how the proposal could have no adverse effects, or decreased adverse effects, on:

The opportunities for persons to use the Welsh language?

Yes, as noted above, by working to maintain the existing approach at the venue.

Treating the Welsh language no less favourably than the English language?

Yes, as above.

Standard 94

If the proposal includes the awarding of grants, has consideration been given to the guidance presented in Cardiff Council's Policy on Awarding Grants in Compliance with the Welsh Language Standards with regard to:

The opportunities for persons to use the Welsh language?

N/A

| |
|--|
| Treating the Welsh language no less favourably than the English language? |
|--|

| |
|-----|
| N/A |
|-----|

Standard 95

If research was undertaken or commissioned to assist with the development of the proposal, did it give consideration to whether it would have a **differential impact [positive/negative]** on:

| |
|---|
| The opportunities for persons to use the Welsh language? |
|---|

| |
|-----|
| N/A |
|-----|

| |
|--|
| Treating the Welsh language no less favourably than the English language? |
|--|

| |
|-----|
| N/A |
|-----|

Standard 96

Did the research undertaken or commissioned to assist with the development of the proposal give consideration to how it could have a positive effect, or increased positive effects, on:

| |
|---|
| The opportunities for persons to use the Welsh language? |
|---|

| |
|-----|
| N/A |
|-----|

| |
|--|
| Treating the Welsh language no less favourably than the English language? |
|--|

| |
|-----|
| N/A |
|-----|

Standard 97

Did the research undertaken or commissioned to assist with the development of the proposal give consideration to how it could have no adverse effect, or decreased adverse effects, on:

| |
|---|
| The opportunities for persons to use the Welsh language? |
|---|

| |
|-----|
| N/A |
|-----|

| |
|--|
| Treating the Welsh language no less favourably than the English language? |
|--|

| |
|-----|
| N/A |
|-----|

Material and Services

In addition to the impact assessment to ensure that the proposal meets the requirements of the Welsh Language Standards, consideration must also be given to the supporting materials and services that may be required.

These include (please click on the hyperlinks to view detailed information about the requirements under the Welsh Language Standards):

- [Correspondence](#) - receiving and replying (emails, letters, online communication).
- [Telephone](#) – receiving and answering calls.
- [Meetings & Public Events](#) – public meetings or events, group meetings, consultation, individual meetings.

- [Public Messages – electronic – video](#)
- [Signs, Notices & Display Material](#)
- [Publicity & Advertising](#)
- [Producing Public Documents](#) - policies, strategies, annual reports, corporate plans, guidelines, notices, codes of practice, consultation papers, licences, certificates, rules, brochures, leaflets, pamphlets or cards, ticket/vouchers.
- [Producing Forms](#)
- [Reception Services](#)
- [Websites, Apps and Online Services](#)
- [Social Media](#)
- [Self Service Machines](#)
- [Education Training Courses](#)
- [Public Address Announcements](#)

Are all supporting materials and services compliant with the requirements of the Welsh language standards?

As noted, the transaction is a property lease deal to a 3rd party private company. The Council will impose a Welsh Language Policy which will require the tenant to comply with Welsh Language Standards.

Cardiff Council’s Welsh Language Skills Strategy

This strategy may be viewed here and additional guidance documents have been produced to support its implementation:

- [Assessing Welsh Language Skills and Identifying Welsh Essential Roles](#)
- [Recruitment, Selection, and Interview Procedures and the Welsh Language](#)

Do you have access to sufficient Welsh speaking staff to support the delivery of the proposal in compliance with the requirements of the Welsh language standards?

It is the intention to TUPE across existing FTE Staff at St David’s Hall to AMG, these will include Welsh speaking staff to support the delivery of the proposal in compliance with the requirements of the Welsh Language Standards.

Next Steps

Where it is considered that a Welsh Language Impact Assessment is required, you must append the completed form to the Cabinet or Officer Decision Report. A copy must also be emailed to Bilingual Cardiff Bilingualcardiff@cardiff.gov.uk

D: Habitats Regulations Assessment

| | Yes | No |
|--|--------------------------|--------------------------|
| Will the proposal affect a European site designated for its nature conservation interest*, or steer development towards an area that includes a European site, or indirectly affect a European site? | <input type="checkbox"/> | <input type="checkbox"/> |

** Only two European sites designated for nature conservation interest lie within Cardiff's boundaries – the Severn Estuary and Cardiff Beech Woods, but be aware if your project affects an area close to a neighbouring authority.*

If the answer is 'Yes', then a screening exercise may need to be conducted to determine if a Habitats Regulations Assessment is required or not.

Contact the [Biodiversity Team](#) who will guide you through the process.

E: Strategic Environmental Assessment

| | Yes | No |
|---|--------------------------|--------------------------|
| Does the strategy, policy or activity set the framework for future development consent? | <input type="checkbox"/> | <input type="checkbox"/> |

| | Yes | No |
|--|--------------------------|--------------------------|
| Is the strategy, policy or activity likely to have significant environmental effects (positive or negative)? | <input type="checkbox"/> | <input type="checkbox"/> |

If you have answered 'Yes' to both of the above questions, then a full Strategic Environmental Assessment Screening is needed.

Contact the [Sustainable Development Unit](#) who will guide you through the process.

F: Data Protection Impact Assessment

| | Yes | No |
|--|--------------------------|--------------------------|
| Will the proposal involve processing information that could be used to identify individuals? | <input type="checkbox"/> | <input type="checkbox"/> |

If the answer is 'Yes', then a Data Protection Impact Assessment may be required.

Click [here](#) to read the guidance and start the Data Protection Impact Assessment process if needed.

For further information, contact the [Data Protection Service](#).

G: Health Impact Assessment

A Health Impact Assessment helps to develop policies and projects that consider the mental, physical and social health and well-being of a population during planning and development. Considering health inequalities and their impacts on local communities is an essential part of any Health Impact Assessment.

Health Impact Assessments will become a statutory requirement for public bodies in specific circumstances in the future. These circumstances have yet to be published by Welsh Government.

For further information and advice, please contact the Wales HIA Support Unit.

Website: [Home - Wales Health Impact Assessment Support Unit \(phwwhocc.co.uk\)](http://phwwhocc.co.uk)

Email: WHIASU.PublicHealthWales@wales.nhs.uk

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

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CYNGOR CAERDYDD
CARDIFF COUNCIL

ECONOMY & CULTURE SCRUTINY COMMITTEE

11 July 2023

ATLANTIC WHARF UPDATE: PRE-DECISION SCRUTINY

Appendices 1-3, and 5-9 of the Cabinet Report attached at Appendix A are not for publication as they contain exempt information of the description contained in paragraphs 14 and 16 of Part 4 and paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972. It is viewed that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Purpose of the Report

1. To give Members background information to aid the scrutiny of the draft report to Cabinet titled '*Atlantic Wharf Update*', which is due to be considered by Cabinet at their meeting on 13 July 2023.

Structure of papers

2. Attached to this cover report are the following appendices:
 - i) Appendix A – report to Cabinet titled '*Atlantic Wharf Update*'
 - ii) Confidential Appendix 1 - Legal Reports & Agreements Bevans
 - iii) Confidential Appendix 2 - Arena Design Update
 - iv) Confidential Appendix 3 - Atlantic Wharf Market Exercise Review
 - v) Appendix 4 - Area Plans A & B
 - vi) Confidential Appendix 5 - Area A Development Plan
 - vii) Confidential Appendix 6 - Procurement Strategy
 - viii) Confidential Appendix 7 - Capella Production Studio Proposal
 - ix) Confidential Appendix 8 - Updated Masterplan
 - x) Confidential Appendix 9 - Financial Overview & Strategy
 - xi) Appendix 10 - Single Impact Assessment (SIA).
3. Members should note that **Appendices 1-3 and 5-9** of the Cabinet report are exempt from publication. Members are requested to keep this information

confidential, in line with their responsibilities as set out in the Members Code of Conduct.

Scope of Scrutiny

4. At their meeting on 13 July 2023, the Cabinet will consider a report that:
 - i) Provides an update on the Indoor Arena
 - ii) Seeks approval of the Pre-Contract Service Agreement (PCSA) and Development and Funding Agreement (DFA) for the Indoor Arena
 - iii) Provides an update on the soft market testing exercise for the development of Atlantic Wharf
 - iv) Seeks approval to implement a procurement strategy relating to Atlantic Wharf
 - v) Seeks approval of the Outline Project Proposal for the Capella Production Studio Project and seeks approval to proceed to a Full Business Case
 - vi) Seeks approval to develop a Full Business Case for the development plan for Area A
 - vii) Seeks approval to undertake a further market testing exercise for Area B.

5. During this scrutiny, Members can explore:
 - i) The updates on the Indoor Arena and wider Atlantic Wharf regeneration
 - ii) The proposals regarding the PCSA and DFA relating to the Indoor Arena
 - iii) The proposals regarding the procurement strategy
 - iv) The proposals regarding Area A and Area B
 - v) The proposal regarding the Capella Production Studio Project
 - vi) The financial, legal and property implications for the Council and whether there are any risks to the Council
 - vii) The next steps and timelines involved, and
 - viii) The recommendations to Cabinet.

Structure of the meeting

6. The Chair will move that this item be considered in two parts: an open session, where Members will be able to ask questions on the issues and papers that are in the public domain; and a closed session, where members of the public will be

excluded, where Members can ask questions that pertain to **Appendices 1-3 and 5-9**.

7. Members will hear from Councillor Russell Goodway (Cabinet Member – Investment and Development), Neil Hanratty (Director of Economic Development) and Chris Barnett (Operational Manager – Major Projects). There will be a presentation taking Members through the proposals and recommendations to Cabinet, followed by Members' questions.
8. Members will then be able to decide what comments, observations or recommendations they wish to pass on to the Cabinet for their consideration prior to making their decisions.

Background

9. In January 2020, the Council acquired the Red Dragon Centre site to secure control of the wider Atlantic Wharf site for regeneration. In December 2020, Cabinet approved the Atlantic Wharf masterplan, the development of an Outline Business Case (OBC) to redevelop the Red Dragon Centre, and submission of a hybrid planning application.
10. In November 2020, Cabinet approved the Live Nation consortium as the preferred bidder for delivery of the new Indoor Arena, authorised the land strategy, and authorised a Pre-Contract Service Agreement (PCSA). The Indoor Arena Full Business Case (FBC) was approved by Cabinet in September 2021.
11. In March 2022, detailed planning consent for the new Indoor Arena and outline consent for the Atlantic Wharf regeneration scheme was granted.
12. In March 2023, Cabinet approved the extension of the PCSA, a soft market testing exercise for the Atlantic Wharf site, the Red Dragon Centre financial strategy, a Memorandum of Understanding (MoU) for the Capella Project authorising the development of an OBC, and the development of an OBC for the Atlantic Wharf Energy Strategy.

13. In June 2023, Cabinet authorised the development of a FBC for the provision of a new Council office building at Atlantic Wharf.

Issues identified in the Cabinet Report

14. The report to Cabinet contains the following sections:

- i) **Points 10-12** – Overarching Issues – inflation, risk
- ii) **Points 13-17** – Indoor Arena
- iii) **Points 18- 27** – Atlantic Wharf Update
- iv) **Point 28** – Capella (Production Studio)
- v) **Point 29** – Atlantic Wharf Masterplan
- vi) **Point 30** – Next Steps

15. The main points contained in the report are:

Indoor Arena

- i. Inflationary pressures mean projected costs have increased from £180M to circa £280M, leading to Live Nation reviewing the design of the Indoor Arena and infrastructure requirements; a Section 73 planning application is due to be submitted July 2023 for the revised arena and hotel.
- ii. The redesign has led to delays in the programme, requiring an extension to the long stop date of the PCSA to 31 March 2024
- iii. Confidential Appendix 1 - sets out the draft Development and Funding Agreement (DFA) – the time period for entering the DFA is 30 November 2023 – 31 March 2024
- iv. Further detailed design will take place during the DFA stage; it is proposed the Council extends its original underwrite from £5M to £7M; this will come from the planned underwrite available under the DFA
- v. The long stop date to achieve Financial Close in the DFA is brought forward from 24 months to 6 months; the intention is to commence advance works Autumn 2023, with main works starting in early 2024
- vi. The Council's financial exposure/ liability is capped, via the financial envelope.
- vii. The Council is working on a funding strategy to manage the short-term position, allowing a longer-term strategy to be entered into when interest rates become more favourable

- viii. The extension to the PCSA and delay in entering the DFA gives Live Nation time to procure a contractor and gives the Council time to agree a financial strategy to mitigate the current interest rate uncertainty.

Atlantic Wharf Update

- ix. The soft market testing exercise generated six expressions of interest, underlined the importance of confirming delivery of the Indoor Arena and future of County Hall, and has shaped the proposal to split the site into Area A & B
- x. Area A –
 - i) Confidential Appendix 5 – sets out site will include offices, Capella Production Studio, event halls, shared foyer and management suite and revised highway infrastructure
 - ii) Confidential Appendix 6 - sets out the procurement strategy, with decision to proceed subject to satisfactory conclusion of procurement and approval at a future Cabinet meeting
- xi. Area B -
 - i) proposed there is a further market exercise in August 2023
 - ii) proposed to allocate land within Area B to deliver circa 500 open market residential units, via the Council’s Housing Partnering Scheme development partner
- xii. The OBC for the redevelopment of the Red Dragon Centre is scheduled to be considered by Cabinet Autumn 2023

Capella (Production Studio)

- xiii. Confidential Appendix 7 – sets out the OBC; authority is sought to progress to a FBC

Atlantic Wharf Masterplan

- xiv. Confidential Appendix 8 - provides an updated masterplan taking into account the above.

Financial Implications

16. **Points 32 - 40** highlight that it is critical the interlinkages between other significant major projects and the projects in this report are understood given the potential knock-on effects and implications, and set out:

- i) Indoor Arena

- Cabinet must have a degree of confidence a funding solution is viable before agreeing to extend the PCSA and increasing the underwrite – further details are in Confidential Appendix 9. Underwrite costs only become payable where the Developer meets their contractual obligations but the Council is unable to, or chooses not to, proceed
- It is imperative that a clearly agreed funding strategy can be implemented prior to signing the DFA
- The Council will be taking on an element of delivery and financial risk, mitigated by procuring a developer to deliver within the agreed cost envelope.
- Further due diligence is required to understand whether the proposed approach will be self-financing, affordable and remains within the Council's risk appetite
- Cabinet must be clear that the proposed procurement strategy, at Confidential Appendix 6, delivers value for money and whether a best value approach is clearly demonstrated within the business case.
- ii) Business Cases and Soft Market Exercise
 - The costs associated with developing business cases and soft market testing exercises will need to be identified by the directorate along with suitable funding.

Legal Implications

17. **Points 41 - 56** set out Public Contracts Regulations (2015) apply with regard to Site A, the law enabling the Council to do, arrange, and contribute to entertainment provision, the law enabling the Council to invest, and the need to take account of the Council's fiduciary duties to local residents and taxpayers. They also set out the need for the Council to consider its duties with regard to the Equality Act 2010, the Well- Being of Future Generations (Wales) Act 2015, Welsh Language Measure (Wales) 2011 and Welsh Language Standards, and ensure the proposal is within the Policy and Budget Framework.

Property Implications

18. **Points 57-58** set out all property implications are contained in the body of the report.

Human Resources Implications

19. There are no HR implications included in the report

Proposed Recommendations to Cabinet

20. The report to Cabinet contains the following recommendations:

- i. Approve an extension and variation to the Pre-Contract Service Agreement (PCSA) for the delivery of the new Indoor Arena in line with the legal conditions set out at **Confidential Appendix 1** and the Financial Report **Confidential Appendix 9**.*
- ii. Approve the Development and Funding Agreement (DFA) attached at **Confidential Appendix 1** and delegate authority to the Director of Economic Development, in consultation with the Cabinet Member for Investment and Development, the Section 151 Officer and the Legal Officer to:
 - a. approve the final terms of the DFA and in so doing approve any amendments to the legal documentation approved as may be necessary, for reasons including but not limited to ensuring consistency between them and finalising any outstanding areas; and*
 - b. approve any further deeds and documents which are ancillary to the legal documents approved;*with entry into the DFA being subject to approval of the funding strategy at a future meeting of Cabinet.*
- iii. Approve the Outline Project Proposal for the Capella Production Studios as set out at **Confidential Appendix 7**.*
- iv. Approve the procurement strategy set out at **Confidential Appendix 6** including the development of a Full Business Case for the Capella Production Studios proposal as set out at **Confidential Appendix 7** and a Full Business Case for the development plan for Area A as set out at **Appendix 4** and delegate authority to the Director of Economic Development in consultation with the Cabinet Member for Investment and Development, the Section 151 Officer and the Legal Officer to deal with all aspects of the procurement strategy and to return to Cabinet for approval of the Full Business Cases in advance of the appointment of any contractors.*
- v. Approve a further market testing exercise for the area marked B on the plan attached at **Appendix 4** to assist with the completion of the Outline Business Case for the redevelopment of the Red Dragon Centre and delegate authority to the Director of Economic Development in consultation with the Cabinet Member for Investment and Development, the Corporate Director of People and Communities, the Section 151 Officer and the Legal Officer to identify land to support the Council's Partnering Scheme as set out in this report.*

Previous Scrutiny

21. The previous Committee undertook regular scrutiny of the various reports on the Atlantic Wharf regeneration, as set out in the previous report to this Committee on 11 July 2022, available [here](#) .
22. This Committee has undertaken pre-decision scrutiny of the following reports to Cabinet on the Atlantic Wharf scheme:
 - i) July 2022 - focusing on land acquisition and appropriation, the Multi-Storey Car Park, and updates to the Indoor Arena and overall masterplan. Following this scrutiny, the Chair, Councillor Wong, wrote a public letter to Councillor Russell Goodway, Cabinet Member – Investment and Development, dated 13 July 2022, setting out the Committee’s comments and observations and a recommendation. Councillor Goodway responded to this recommendation, in a letter dated 15 November 2022. Copies of these letters have been shared with Committee Members.
 - ii) March 2023 – focusing on the Multi-Storey Car Park, Energy Provision, Infrastructure Review, Council Costs, and overall masterplan. Following this scrutiny, the Chair, Councillor Wong, wrote a public letter and a confidential letter to Councillor Russell Goodway, Cabinet Member – Investment and Development, both dated 23 March 2023, setting out the Committee’s comments and observations. These letters did not require a response. Copies of these letters have been shared with Committee Members and the public letter is available [here](#) .

Way Forward

23. Councillor Russell Goodway (Cabinet Member – Investment and Development) will be invited to make a statement. Neil Hanratty (Director of Economic Development) and Chris Barnett (Operational Manager – Major Projects) will attend to give a presentation and all witnesses will be available to answer Members’ questions on the proposals.

24. All Members are reminded of the need to maintain confidentiality regarding the information provided in **Appendices 1-3 and 5-9**. Members will be invited to agree the meeting go into closed session to enable discussion of this information.

Legal Implications

25. The Scrutiny Committee is empowered to enquire, consider, review, and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters, there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

26. The Scrutiny Committee is empowered to enquire, consider, review, and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters, there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

RECOMMENDATION

The Committee is recommended to:

- i) Consider the information in this report, its appendices and the information presented at the meeting
- ii) Determine whether they would like to make any comments, observations or recommendations to the Cabinet on this matter in time for its meeting on 13 July 2023, and
- iii) Decide the way forward for any future scrutiny of the issues discussed.

DAVINA FIORE

Director of Governance & Legal Services

05 July 2023

Atlantic Wharf Update

INVESTMENT & DEVELOPMENT (CLLR RUSSELL GOODWAY)

AGENDA ITEM:

PORTFOLIO: INVESTMENT & DEVELOPMENT

Appendices 1-3 and 5-9 of this report are not for publication as they contain exempt information of the description contained in paragraphs 14 and 16 of Part 4 and paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972.

Reason for this Report

1. To provide an update on the new Indoor Arena project and to seek authority to amend the legal agreements.
2. To provide an update on the soft market testing exercise for the redevelopment of the Atlantic Wharf site and to obtain approval to implement subsequent disposal and procurement strategies.
3. To present the Outline Business Case for the Capella Production Studio Project.

Background

4. The Atlantic Wharf regeneration scheme remains a major Council priority set out in the Corporate Plan 2023-26 aimed at kick-starting the next phase regeneration of Cardiff Bay. In January 2020, the Council acquired the Red Dragon Centre site to supplement its existing ownership of the County Hall site, to secure full control of a combined area of land in Cardiff Bay of approximately 30 acres. Since then, the Council has progressed proposals for the comprehensive redevelopment of the site anchored by the delivery of a new Indoor Arena and supported by the development of a new MSCP to consolidate surface car parking across the site.
5. In July 2021, Cabinet authorised the development of an Outline Business Case for the redevelopment of the Red Dragon Centre to consider options for the future of the site and to protect the Council's investment.
6. In September 2021, Cabinet approved a Full Business Case for the delivery and operation of a new Indoor Arena and delegated authority to enter into the various legal arrangements.

7. In March 2022, outline planning permission was granted for the Atlantic Wharf site alongside detailed permission for the new Indoor Arena.
8. In March 2023, Cabinet considered a progress report on the Atlantic Wharf regeneration scheme and approved:
 - the extension of the Pre-Contract Service Agreement (PCSA) for the Arena,
 - an interim Full Business Case for the Multi-Storey Car Park,
 - a soft market exercise covering the whole Atlantic Wharf site,
 - the Red Dragon Centre financial strategy,
 - an MoU for the Capella Project authorising the development of an Outline Business Case,
 - the development of an Outline Business Case for the Atlantic Wharf Energy Strategy.
9. In June 2023, Cabinet agreed a report on the Council's Core Office Strategy and authorised the development of a Full Business Cases to consider the possible refurbishment of City Hall and the provision of a new Council office building at Atlantic Wharf.

Issues

10. As previously reported to Cabinet, inflationary pressures have pushed the cost of the new Indoor Arena from the projected figure of £180m to close to £280m. The Council's financial exposure/liability (established via a financial envelope as part of the original public procurement process) is capped and therefore the Live Nation consortium has had to take full responsibility for the additional costs. This has led the Live Nation consortium to review the design of the Arena which requires an extension to the long stop date of the Pre-Contract Service Agreement (PCSA) stage. The next stage of the process is to enter into a Development and Funding Agreement (DFA) to agree the terms of the funding contract in advance of the Live Nation consortium achieving Financial Close. Financial Close can only be achieved once RIBA Stage 4 is completed and a contractor is procured providing a final price. Further detailed design will be undertaken during the DFA stage which requires the Council's existing underwrite to be extended as originally provided for in the DFA. The legal and financial details of this proposal are set out in **Confidential Appendix 1**.
11. The risk associated with extending the Council's underwrite for the Arena design relates to the impact of interest rate rises on the funding strategy. The cost of borrowing has increased significantly over the last year and has reduced the opportunity for surpluses to be realized by the Council over the whole term of the lease. Continued increases in interest rates before Financial Close would seriously test the affordability envelope. As such the Council is working on a funding strategy that will manage the short-term position allowing a longer-term strategy to be entered into when interest rates become more favourable. The Council needs to determine a long-term strategy for managing the interest rate risk prior to entering the DFA to ensure the project remains affordable.
12. The Council continues to develop the Outline Business Case (OBC) for the redevelopment of the Red Dragon Centre and the wider regeneration of the Atlantic

Wharf site with various considerations feeding into this process such as the future of County Hall, the delivery of the new Indoor Arena and the alternative car parking provision within the proposed new MSCP. As part of the OBC process the Council has undertaken a soft marketing exercise to engage investor/developer interest across the wider site to assist with long-term delivery.

Indoor Arena (Update)

13. The Live Nation consortium has successfully worked to reduce the level of cost increase through a review of the Arena design and reconsideration of site infrastructure requirements. The design has now been developed to RIBA Stage 3, including cost plans, which indicate that the scheme is now within the Live Nation consortium's revised affordability envelope. The redesign has caused an unavoidable delay to the programme. The intention is now to commence with an advance works package in autumn 2023, with main works starting in early 2024, subject to entering into the DFA.
14. The Live Nation consortium is due to submit a Section 73 planning application in July to update the current designs of the Arena and Hotel. (See **Confidential Appendix 2**).
15. To allow the scheme to proceed and the planning application to be submitted the Council and the Live Nation consortium now need to finalise and agree the DFA. The final draft of the DFA and associated legal commentary are set out at **Confidential Appendix 1**.
16. The Council has continued to finalise the legal documentation with the Live Nation consortium and has agreed the following changes:
 - An extension to the long stop date of the PSCA stage to 31 March 2024.
 - An extension to the current Council underwrite from £5m to £7m set against the Live Nation consortium's current spend of circa £10m and proposed additional spend of more than £5m to develop the designs to RIBA Stage 4. This is bringing forward £2m of the underwrite that would be available under the DFA.
 - A reduction in the long-stop date to achieve Financial Close in the DFA from 24 months to 6 months to ensure works commence on site in 2024.
 - A specific time period for entering into the DFA between 30 November 2023 and 31 March 2024.
17. The extension to the long stop date of the PCSA and the delay in entering the DFA will provide the Live Nation consortium with time to procure a contractor before progressing with RIBA Stage 4 design works to achieve greater cost certainty and provides the Council with further time to agree a financial strategy to mitigate the current interest rate uncertainty.

Atlantic Wharf (Update)

18. The Council has undertaken a soft market exercise to gauge the appetite of the private sector to invest in the redevelopment of the Atlantic Wharf site. The process generated six 'expression of interest' submissions. A summary is provided at **Confidential Appendix 3**.

19. The engagement with the private sector has underlined the importance of confirming delivery of the new Indoor Arena and agreeing the future of County Hall to provide certainty on the context for development. This will give interested parties certainty regarding infrastructure requirements, planning conditions such as SAB and green space provision and energy capacity constraints and wider strategy.
20. The market testing exercise provided a number of interesting proposals that have helped the Council to shape its development strategy for the site. Interest was concentrated in two areas and has led the Council to bring forward a strategy that divides the site into two parts (A & B) as illustrated in the plan attached at **Appendix 4**. Area A is the site of the existing County Hall building which lies immediately adjacent to the proposed new Indoor Arena. Area B is the remaining land including the Red Dragon Centre and a strip of land alongside Bute East Dock.
21. In regard to Area A, the Council has now prepared a development plan for the site, based on the market interest received, which contains 5 development areas and includes the following uses:
- Up to 300,000 sq ft of Offices
 - Capella Production Studios
 - Event Halls
 - Shared foyer and management suite
 - Revised highway infrastructure
22. The proposed development provides an opportunity to create a modern energy efficient suite of offices with a range of shared facilities which will provide value for occupiers. The development proposal is set out at **Confidential Appendix 5**.
23. The Cabinet decision of June 2023 relating to the future of the Council's Core Offices requires the development of a Full Business Case to consider the delivery of a new County Hall building at Atlantic Wharf alongside the Capella project and potentially other third-party opportunities. This process will require the Council to specify its requirements, undertake design work and demonstrate that delivery can be achieved within an affordable budget.
24. **Confidential Appendix 6** sets out a procurement strategy for Area A (illustrated by the plan attached at **Appendix 4** and **Confidential Appendix 5**). Further to the Council's Core Office requirement, the Capella project and the wider opportunities outlined above, the Council will develop a specification which will be taken to the market as part of the development of the Full Business Case process for both the Council's Core Office Strategy and the Capella Project. Whilst the procurement strategy supports the development of the FBC at this stage, the decision to proceed with the development is subject to the satisfactory conclusion of a public procurement process and obtaining approval of the FBC at a future Cabinet meeting.
25. It is proposed that the remaining area of land, illustrated on the plan attached at **Appendix 4** as Area B, is subject to a further market testing exercise and is anticipated to generate significant interest for residential development.

26. The Council is preparing to undertake a procurement exercise to attract a development partner for the second phase of the Council's housing 'Partnering Scheme' to deliver circa 7000 mixed tenure properties including 4000 Council properties. In order to support the Partnering Scheme, it is proposed to allocate land within Area B to provide the Council's appointed development partner with an opportunity to deliver circa 500 residential units as part of the Partnering Scheme. The specific parcels of land to be allocated to the Partnering Scheme will be determined as part of a review of the masterplan following the market testing exercise relating to Area B. The allocation of this land is separate from any affordable housing requirement arising from the proposed masterplan and/or any subsequent planning application.
27. The Outline Business Case for the redevelopment of the Red Dragon Centre is scheduled to be considered by Cabinet in the in the autumn 2023 and therefore the Council is seeking to relaunch the Area B market exercise in August.

Capella (Production Studio)

28. In July 2021, Cabinet approved a Memorandum of Understanding (MOU) with the Wales Millennium Centre (WMC) for the delivery of the Capella Production Studio proposal at Atlantic Wharf. The project seeks to deliver a co-production space for the development of creative content that can be showcased at the WMC and other venues across Cardiff, Wales and beyond. The MOU has led to the development of an Outline Project Proposal which is attached at **Confidential Appendix 7**. Through this report, Cabinet is asked to provide authority to progress the project to a Full Business Case.

Atlantic Wharf Masterplan

29. **Confidential Appendix 8** provides an updated masterplan vision for the whole Atlantic Wharf site covering the County Hall site and the Red Dragon Centre site and takes account of the updated plans for the new Indoor Arena and associated hotel, the Capella Production Studio proposal and the new development plan for Area A.

Next Steps

30. To progress the Atlantic Wharf Regeneration Scheme, it is proposed that the Council will take forward the following next steps:
- An extension to the long stop date in the PCSA for the Arena and bringing forward part of the Council underwrite with immediate effect.
 - Enter the DFA with the Live Nation consortium for the delivery of the Indoor Arena once the parties are ready between 30 November 2023 - 31 March 2024.

Progress the Full Business Cases, including the development of design to RIBA Stage 3 and the full market testing of construction costs to be presented back to Cabinet, for:

- the Council's Core Office Strategy;
- the Capella Production Studio;

- the development plan for Area A;
- Undertake a further market exercise for Area B to secure a developer(s) to deliver the wider regeneration in line with the Council's masterplan vision, with the outcome to be considered as part of the OBC for the Red Dragon Centre scheduled to be presented back to Cabinet in autumn 2023.

Reason for Recommendation

31. To progress the delivery of the new Indoor Arena and the wider regeneration of the Atlantic Wharf site.

Financial Implications

32. This report focusses on the delivery of the Arena, whilst also considering earlier stage proposals for initial phases of development within Atlantic Wharf. It should be noted that there are a number of other significant major projects the Council is trying to implement which will need to interlink with these to ensure all projects optimise value and costs. These include the wider Atlantic Wharf masterplan, Heat Network, the long-term future of the County Hall building, and the potential redevelopment of the Red Dragon Centre. It is critical that the interlinkages between these projects is understood during the decision-making process given the potential knock-on effects and implications each could have on other Council projects.
33. The delivery of the new Indoor Arena is regarded as the key anchor project and the first phase of the Atlantic Wharf regeneration proposals, so any decisions taken in this report may have a wider impact on viability of other Council projects.
34. This report seeks Cabinet Authority to extend the Arena Pre-Contract Service Agreement (PCSA) to 31st March 2024, as well as approval of the final draft Development and Funding Agreement (DFA), with Cabinet then delegating authority to enter into DFA once called upon to do so by Live Nation within the agreed window of 30 November 2023 to 31 March 2024, subject to satisfying remaining conditions and remaining within affordability envelope.
35. Approving the proposed PCSA extension would allow the Council sufficient time to finalise a financial strategy to mitigate the increasing risks to affordability caused by rising interest rates and ongoing volatility in the market, whilst also demonstrating Council's commitment to progressing with Arena by extending underwrite of Developers costs by an additional £2m. The current position on interest rates means a traditional PWLB funding solution is challenging at present, so alternative solutions are currently being explored to enable delivery of the Arena. Cabinet must have a degree of confidence a funding solution is viable before agreeing to extend PCSA and increasing Council underwrite under PCSA. See **Confidential Appendix 9** for further details.
36. It is important to note though that as per the underwrite of the original PCSA costs, these additional costs will become development costs to be covered by the Developer once the parties enter into the long-term DFA contract. These underwritten costs would

only become payable by the Council in a scenario where the Developer continues to meet all of their own contractual obligations, but the Council is unable to meet its own obligations or chooses not to proceed with the Arena development.

37. The final draft of the Development Fund Agreement (DFA), as well as a summary note of the key changes, is attached at **Confidential Appendix 1**. This report requests Cabinet approve the final form of the DFA that the Council will enter into with Developer and Operator Consortium to deliver the Arena on a long-term contract, so it is imperative that a clearly agreed funding strategy can be implemented prior to signing this contract. This may require suitable risk mitigation measures being put in place for purposes of prudence to ensure long-term financial viability for the Council. Further information can be found within **Confidential Appendix 9**. A further Cabinet approval of the Funding Strategy for Arena will also be sought prior to entering into DFA.
38. This report also recommends Cabinet approve the Capella Production Studios proposal as outlined in **Confidential Appendix 7**. This proposal, along with the Procurement Strategy set out in **Confidential Appendix 6** starts to bring together a number of component parts of the Atlantic Wharf Development strategy and provide an indication of proposed delivery mechanisms for Core Offices and Capella projects.
39. These proposals indicate the Council will be taking on an element of delivery and financial risk, albeit with some of this risk due to be mitigated by procuring a developer to deliver the facilities within an agreed cost envelope. Further due diligence will be required to fully understand detail of these proposals and impacts upon the Council, including whether the proposed approach will be self-financing, affordable and remains within the Council's risk appetite. Cabinet must also be clear that the proposed procurement strategy, as set out in **Confidential Appendix 6**, delivers value for money for the Council, and whether a best value approach is clearly demonstrated within the business case.
40. Cabinet are also being asked to approve further development of business cases for Capella Production Studios, a development plan for Area A (as set out at **Appendix 4**) as well as a further market testing exercise for the area marked B on the plan attached at **Appendix 4**. The costs associated with development of such business cases and soft market testing exercises will need to be identified by directorate, along with suitable funding sources prior to progressing with these pieces of work.

Legal Implications

41. In relation to the proposed development opportunity of Site A of the Atlantic Wharf (as described above) the Public Contracts Regulations 2015 (as amended) ("PCR") will apply.
42. Noting the above, the Council will be required to advertise and compete the above opportunity in accordance with the PCR.
43. Procurement advice on the procedures available to the Council under the PCR is contained within **Confidential Appendix 6**.

44. Section 145 of the Local Government Act 1972 enables the Council to do, or arrange for the doing of, or contribute towards the expenses of the doing of, anything necessary or expedient for the provision of entertainment of any nature or the provision of a theatre, concert hall, dance hall or other premises suitable for the giving of entertainments and any purposes incidental to that provision.
45. Section 12 of the Local Government Act 2003 enables the Council to invest (a) for any purpose relevant to its functions under any enactment or (b) for the purposes of the prudent management of its financial affairs.
46. The Cabinet needs to take account of the Council's fiduciary duties to the local residents and taxpayers. As such, proper consideration needs to be given to the risks, rewards and potential future liabilities of the proposals which are the subject of this report. The issue concerns whether the potential risks and liabilities described in the report and in the associated appendices are proportionate to securing the stated economic development objectives and thereby in the best interests of the local taxpayers and residents. Any viable alternatives for delivering the economic development objectives should be considered.
47. This report seeks approval to extend the Long Stop date in the PCSA, delay entry into the DFA and bring forward part of the underwrite the Council would need to commit to under the DFA (and make consequential amendments). This variation is of benefit to the Council as it means the Council does not have to commit to funding the pre-agreed sums for delivery of the Arena now and allows the Council time to review any changes in interest rates and finalise its funding strategy.

Equalities & Welsh Language

48. In considering this matter the decision maker must have regard to the Council's duties under the Equality Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties Councils must, in making decisions, have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are: (a) Age, (b) Gender reassignment(c) Sex (d) Race – including ethnic or national origin, colour or nationality, (e) Disability, (f) Pregnancy and maternity, (g) Marriage and civil partnership, (h)Sexual orientation (i)Religion or belief –including lack of belief.
49. When taking strategic decisions, the Council also has a statutory duty to have due regard to the need to reduce inequalities of outcome resulting from socioeconomic disadvantage ('the Socio-Economic Duty' imposed under section 1 of the Equality Act 2010). In considering this, the Council must take into account the statutory guidance issued by the Welsh Ministers ([WG42004 A More Equal Wales The Socio-economic Duty Equality Act 2010 \(gov.wales\)](#)) and must be able to demonstrate how it has discharged its duty.
50. An Equalities Impact Assessment aims to identify the equalities implications of the proposed decision, including inequalities arising from socio-economic disadvantage,

and due regard should be given to the outcomes of the Equalities Impact Assessment annexed to this report.

51. The decision maker should be mindful of the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards.

The Well-being of Future Generations (Wales) Act 2015

52. The Well-Being of Future Generations (Wales) Act 2015 ('the Act') places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible. In discharging its duties under the Act, the Council has set and published well being objectives designed to maximise its contribution to achieving the national well being goals. The wellbeing objectives are set out in Cardiff's Corporate Plan 2023 -26.
53. When exercising its functions, the Council is required to take all reasonable steps to meet its wellbeing objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the wellbeing objectives and must be satisfied that all reasonable steps have been taken to meet those objectives.
54. The wellbeing duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:
- -Look to the long term
 - -Focus on prevention by understanding the root causes of problems
 - -Deliver an integrated approach to achieving the 7 national well-being goals
 - -Work in collaboration with others to find shared sustainable solutions
 - -Involve people from all sections of the community in the decisions which affect them.
55. The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible on line using the link below:
<http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>

Policy and Budget Framework

56. The decision maker must be satisfied that the proposal is within the Policy and Budget Framework, if it is not then the matter must be referred to Council.

Property Implications

57. All property implications are contained within the body of the report.

58. Where there are property transactions or valuations required to deliver any proposals, they should be done so in accordance with the Council's relevant Asset Management process and in consultation with appropriate service areas.

HR Implications

59. The report refers to the Core Office Strategy report that was considered by Cabinet on 22 June 2023 that authorised the development of a Full Business Case for the refurbishment of City Hall and the provision of a new Council office based at Atlantic Wharf. The human resources implications of this strategy were considered in the Cabinet report so are not repeated here.
60. The culture, health, wellbeing and engagement of employees is vitally important to keep the workplace safe and healthy, and our workforce engaged and resilient. Ensuring all our employees, wherever they are based, have access to our support services and can take part in the associated activities remains critical. Engagement with employees needs to continue on the Core Office proposals in respect of dates, future usage and requirements of Council core buildings.
61. The Trade Unions have been consulted on the information within this report and there will be ongoing engagement and consultation with both trade unions and employees as the business case develops.

RECOMMENDATION

Cabinet is recommended to:

- 1) Approve an extension and variation to the Pre-Contract Service Agreement (PCSA) for the delivery of the new Indoor Arena in line with the legal conditions set out at **Confidential Appendix 1** and the Financial Report **Confidential Appendix 9**.
- 2) Approve the Development and Funding Agreement (DFA) attached at **Confidential Appendix 1** and delegate authority to the Director of Economic Development, in consultation with the Cabinet Member for Investment and Development, the Section 151 Officer and the Legal Officer to:
 - a. approve the final terms of the DFA and in so doing approve any amendments to the legal documentation approved as may be necessary, for reasons including but not limited to ensuring consistency between them and finalising any outstanding areas; and
 - b. approve any further deeds and documents which are ancillary to the legal documents approved;

with entry into the DFA being subject to approval of the funding strategy at a future meeting of Cabinet.

- 3) Approve the Outline Project Proposal for the Capella Production Studios as set out at **Confidential Appendix 7**.

- 4) Approve the procurement strategy set out at **Confidential Appendix 6** including the development of a Full Business Case for the Capella Production Studios proposal as set out at **Confidential Appendix 7** and a Full Business Case for the development plan for Area A as set out at **Appendix 4** and delegate authority to the Director of Economic Development in consultation with the Cabinet Member for Investment and Development, the Section 151 Officer and the Legal Officer to deal with all aspects of the procurement strategy and to return to Cabinet for approval of the Full Business Cases in advance of the appointment of any contractors.

- 5) Approve a further market testing exercise for the area marked B on the plan attached at **Appendix 4** to assist with the completion of the Outline Business Case for the redevelopment of the Red Dragon Centre and delegate authority to the Director of Economic Development in consultation with the Cabinet Member for Investment and Development, the Corporate Director of People and Communities, the Section 151 Officer and the Legal Officer to identify land to support the Council's Partnering Scheme as set out in this report.

| | |
|-----------------------------------|---|
| SENIOR RESPONSIBLE OFFICER | Neil Hanratty Director of Economic Development |
| | Date |

The following appendices are attached:

Appendices

- Confidential Appendix 1 - Legal Reports & Agreements
- Confidential Appendix 2 - Arena Design Update
- Confidential Appendix 3 - Atlantic Wharf Market Exercise Review
- Appendix 4 - Area Plans A & B
- Confidential Appendix 5 - Area A Development Plan
- Confidential Appendix 6 - Procurement Strategy
- Confidential Appendix 7 - Capella Production Studio Proposal
- Confidential Appendix 8 - Updated Masterplan
- Confidential Appendix 9 - Financial Overview & Strategy
- Appendix 10 - Single Impact Assessment (SIA)

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Single Impact Assessment

Cardiff Council



1.Details of the Proposal

What is the proposal?

Title: Atlantic Wharf Development

Is this a new proposal or are you amending an existing policy, strategy, project, procedure or service?

New

Existing

Directorate/Service Area:

Economic Development- Major Projects

Who is developing the proposal?

Name: Neil Hanratty

Job Title: Director Economic Development

Responsible Lead Officer (Director or Assistant Director):

Chris Barnett

Cabinet Portfolio:

Economic and Culture

Authorisation

Completed By: Jo Phillips

Job Title: Project Manager

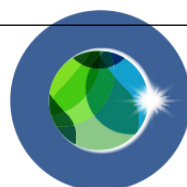
Date:

Approved By:

Job Title:

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Bilingual
Cardiff



One
Planet
Cardiff



The Single Impact Assessment (SIA) can be strengthened as time progresses, helping shape the proposal. Version control will provide a useful audit trail of how the SIA has developed. Draft versions of the assessment should be retained for completeness, however only the final version will be publicly available. Draft versions may be provided to regulators if appropriate.

| Version | Author | Job Title | Date |
|----------------|---------------|---------------------------------|-------------|
| 1 | Fiona Gibson | Senior Corporate Policy Officer | 12/10/2022 |
| 2 | Fiona Gibson | Senior Corporate Policy Officer | 12/04/2023 |
| | | | |
| | | | |
| | | | |

1. Overview of the Proposal

What action is the Council considering and why?

Please provide a detailed outline of the proposal. This information will support your findings in the impact assessments.

The Atlantic Wharf regeneration scheme remains a major Council priority set out in the Corporate Plan 2023-26 aimed at kick-starting the next phase regeneration of Cardiff Bay. The Council has secured ownership of approximately 30 acres of land across Atlantic Wharf and is committed to delivering a range of exciting developments, including the Indoor Arena, a multi storey car park and the redevelopment of the Red Dragon Centre.

The current stage of the proposal includes:

The conclusion of the legal agreements for the Indoor Arena and for the development to proceed to the next stage.

A soft marketing process to determine the next step of development for the Atlantic Wharf Site (inc the Red Dragon Centre)

The development of a business case for the design and delivery of a multi-functional area within the Atlantic Wharf site to host:

- A new office building and management suite
- An exhibition and event facility
- A facility for the Cappella Project

In June 2023, Cabinet authorised the development of a full business case for the Core Office Strategy, which includes the delivery of a new office building on Atlantic Wharf. As part of this Cabinet report, an EIA on the Core Office Strategy was presented.

The Core Office Strategy considers 3 components:

- Environment (Property)
- Resources (including people)
- Technology

This EIA was able to set out the potential principal impact of the strategy, but was very clear that going forward, further, more specific impact assessments must be carried out on the components listed, to ensure that full consideration is given, based on due diligence and investigation of proper data and consultation.

As the full business case progresses, these impact assessments will be developed, focussing on their own specific component of the strategy, but also in close collaboration with all other components of the business case.

Similarly, this impact assessment will set out the principal impacts of the Atlantic Wharf development including:

- The delivery of the new Arena
- The delivery of 'area A' (office, events space and Capella Project)
- The delivery of the new car parking provision

As the business case progresses, further detailed assessments will evolve that will capture any differential impacts emerging specifically in relation to any of the individual components.

What are the costs and/or savings?

What will the proposal cost and how will it be funded?

How might costs be reduced through involvement and collaboration, across Cardiff Council and/or with external stakeholders?

Are there savings and how will these be realised?

The Atlantic Wharf development Strategy is separated into a number of different components. Each individual component will be subject to the approval of robust business cases, which, in turn, must provide sufficient detailed financial information, including costs and risk information associated with each development and required decision.

2. Impact Assessments

Which impact assessments do you need to complete to support your proposal?

Further information is included about each assessment at the start of the relevant section.

The [Impact Assessment Screening Tool](#) provides advice tailored to your proposed policy, strategy or project regarding which impact assessments may be required and who to contact to find out more.

The screening tool is an online form with mainly multiple-choice questions which should take less than 10 minutes to complete.

Once the answers have been submitted, an automated email will be sent to you with the recommended next steps and details of who to contact for expert advice.

Put Yes or No next to each of the impact assessments listed below to indicate which ones are being carried out. For assessments which are not being carried out, please delete the relevant sections on the subsequent pages.

| Impact Assessment | Completed: Y/N |
|---------------------------------------|----------------|
| A. Equality Impact Assessment | Y |
| B. Child Rights Impact Assessment | N |
| C. Welsh Language Impact Assessment | N |
| D. Habitats Regulations Assessment | N |
| E. Strategic Environmental Assessment | N |
| F. Data Protection Impact Assessment | N |
| G. Health Impact Assessment | N |

For further information on all the above impact assessments including who to contact for advice, please visit the [Policy Portal](#).

A: Equality Impact Assessment

Guidance in completing this assessment can be accessed [here](#). Please consult the Equality Team for any further assistance with completing this assessment EqualityTeam@cardiff.gov.uk

Under the Equality Act 2010, “differential impact” means that people of a particular protected characteristic (e.g. people of a particular age) will be significantly more affected by the change than other groups.

Impact on the Protected Characteristics

Age

Will this proposal have a **differential impact [positive]** on different age groups?

| | Yes | No | N/A |
|----------------|-----|----|-----|
| Up to 18 years | X | | |
| 18 - 65 years | X | | |
| Over 65 years | X | | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The regeneration of Atlantic Wharf will have a positive impact on all Cardiff residents and on residents of and visitors to the area, regardless of age. The regeneration aims to provide a place where people can visit to engage in a range of social and leisure activities irrespective of their age.

The range of facilities at Atlantic Wharf will provide inclusive and engaging offers that are accessible to all ages, and the environment will be designed to encourage all ages to want to and be able to spend time there.

Due to the new developments across Atlantic Wharf, there will be increased employment opportunities, greater access to social, leisure, retail and cultural activities.

The introduction of the Capella Production Studio opens up apprenticeship and employment opportunities for all ages, linking into education of young people and providing a great link into sustainable working with the WMC. Promoting Culture and Art across generations and supporting the active development of young people.

The regeneration has the potential for a positive impact on people of working age (18-65) due to business development and associated employment and work experience opportunities, as well as providing an improved environment for social interaction and active cultural and leisure activity.

The inclusion of new office facilities provides an inclusive and accessible environment, conducive to modern working practices, which assists anyone of working age and ability to work well and in a way that suits their needs. (see core office EIA)

The provision of event and exhibition space opens up the visibility of Cultural and business opportunities, enabling engagement with social groups, businesses and people of all ages to encourage people to get involved. This has an additional positive impact on social interaction, inclusivity, and mental health. The same can also be said for people over the age of 65, Atlantic Wharf provides a social inclusivity that ensures people can engage with the community after retirement. The wider environment is planned to be conducive to Social and Cultural activity for all ages.

Transport Accessibility

In terms of accessibility for all ages, the site already has reasonably good transport links- very close to major link roads and also close routes linking to the City Centre, which means that people are able to travel to Atlantic Wharf via car for those who are of driving age and who will transport younger people via car, bus or train. There are already a number of bus routes that reach the site and Bute Street train station is only a few metres walk from the site and Central Station is also about a 20-minute walk from the site for those who choose to travel via public transport. The project scope will ensure that these public transport links are at least retained, but also enhanced to ensure those who do not drive have accessible options to travel to the site.

One of the main developments on the site is a new MSCP that is designed to consolidate parking for the whole of the development. This development will need to consider accessibility and charging for all.

What action(s) can you take to address the differential impact?

The Council, working with all respective partners and stakeholders will ensure that when considering the development of Atlantic Wharf, the requirements of people of all ages are taken into consideration ensuring that accessibility and inclusivity is a focus of all stages of the project- this includes the accessibility of the transport links that are already servicing the area and, in the design, and delivery of the MSCP

Disability

Will this proposal have a **differential impact [positive]** on disabled people?

| | Yes | No | N/A |
|---|-----|----|-----|
| Hearing Impairment | X | | |
| Learning Disability | X | | |
| Long-Standing Illness or Health Condition | X | | |
| Mental Health | X | | |
| Neurodiversity | X | | |
| Physical Impairment | X | | |
| Substance Misuse | X | | |
| Visual Impairment | X | | |
| Other | X | | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The regeneration of Atlantic Wharf will have a positive impact on all Cardiff residents and visitors to the area, including disabled people. The project has the potential to provide state of the art facilities and provide opportunities and a physical, social environment which is accessible and inclusive to all. The project will need to consider accessibility and way-finding as a key part of the design process to ensure those with physical, visual, hearing and learning impairments are able to navigate around the site..

Regarding mental health, it is acknowledged that for some, having a place to go and be with people and take part in activity can help with mental health.

The project aims to provide an environment that offers everyone a comfortable and pleasant place to be, with opportunities to take part in cultural and social events as well as an accessible working environment.

Following the pandemic, many people are using outdoor space and working space differently and so the project aims to help facilitate this.

Transport accessibility

It is important that disabled people are also able to travel to Atlantic Wharf.

Where this project is not responsible for the accessibility of public transport, it is committed to ensure that where transport modes link to the site, that there is a straightforward and safe link from the car park and bus stops that disabled people can easily navigate into Atlantic Wharf and all its facilities.

Similarly, those responsible for the development of the Arena, car park and 'Area A' will also need to consider the same.

What action(s) can you take to address the differential impact?

Throughout all of the developments across Atlantic Wharf, consideration must be given to the design of all components to ensure accessibility for all abilities. Equally, in the delivery of programmes, there must be consideration of how people of all abilities can access and enjoy the opportunities available.

Gender Reassignment

Will this proposal have a **differential impact [positive/negative]** on transgender people?

| | Yes | No | N/A |
|--|------------|-----------|------------|
| Transgender People (Transgender people are people whose gender identity or gender expression is different from the gender they were assigned at birth.) | | x | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The regeneration of Atlantic Wharf is expected to have a positive impact on all people and is not expected to have any differential impact on people because of gender reassignment.

The 2021 Census shows that there are 2 distinct areas of population in the Atlantic Wharf area. Both areas indicate that most of the population identify with the same gender to which they were born. However, as the Atlantic Wharf development intends to attract visitors from across Cardiff, Wales and the rest of the UK, it cannot anticipate the number of visitors who have or intend to

undergo gender reassignment. Therefore, any welfare facilities will be gender neutral in line with the Council's Stonewall submission.

What action(s) can you take to address the differential impact?

In line with the Council's Stonewall submission, gender neutral welfare will be included in all designs and plans

Marriage and Civil Partnership

Will this proposal have a **differential impact [positive/negative]** on marriage and civil partnership?

| | Yes | No | N/A |
|-------------------|-----|----|-----|
| Marriage | | x | |
| Civil Partnership | | x | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The regeneration of Atlantic Wharf will have a positive impact on all Cardiff residents and visitors to the area, regardless of marital or partnership status. It is not expected that this project will have a differential impact on people whether they are or are not in a marriage or civil partnership.

What action(s) can you take to address the differential impact?

None required

Pregnancy and Maternity

Will this proposal have a **differential impact [positive/negative]** on pregnancy and maternity?

| | Yes | No | N/A |
|-----------|-----|----|-----|
| Pregnancy | | x | |
| Maternity | | x | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The regeneration of Atlantic Wharf will have a positive impact on all Cardiff residents and visitors to the area. It is not expected that this project will have a differential impact on pregnancy or maternity.

Consideration will always be given in the designing and planning of all facilities to ensure suitable welfare facilities are included that may be beneficial to everyone, including the potential addition needs of those who are pregnant or nursing/caring for young babies and children.

See Core Office EIA for the assessment in relation to the development of new core office and the impact on employees.

What action(s) can you take to address the differential impact?

None identified

RaceWill this proposal have a **differential impact [positive/negative]** on the following groups?

| | Yes | No | N/A |
|---|-----|----|-----|
| White | | | |
| Mixed / Multiple Ethnic Groups | | | |
| Asian / Asian British | | | |
| Black / African / Caribbean / Black British | | | |
| Other Ethnic Groups | | | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The 2021 Census shows that there are 2 distinct areas of population close to the development of Atlantic Wharf.

One area to the SW has an 89.2% white population, 5.8% mixed race, 1.2% Asian, 0.8% Black and 2.9% other.

The area to the NW is reported to be 38.8% Black, 12.8% Asian, 10.7% White and 7.8% of mixed race.

The development at Atlantic Wharf is expected to have a positive impact on all people irrespective of race, however, the population to the NW shows 58.3% economically inactive, so it could be assumed that there may be a differential impact on this population, with opportunity for employment in close proximity to where they live.

What action(s) can you take to address the differential impact?

The Council and relevant partners will ensure communication with local communities is maintained throughout the process, engaging with existing residents to gain an insight into local needs and ensure they are considered in the planning and design and in the programme of delivery

Religion, Belief or Non-BeliefWill this proposal have a **differential impact [positive/negative]** on people with different religions, beliefs or non-beliefs?

| | Yes | No | N/A |
|--------------|-----|----|-----|
| Buddhist | X | | |
| Christian | X | | |
| Hindu | X | | |
| Humanist | | | |
| Jewish | | | |
| Muslim | X | | |
| Sikh | | | |
| Other belief | | | |
| No belief | x | | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The development at Atlantic Wharf is expected to have a positive impact on all communities, and is not expected to have a significant differential impact on people because of their religion.

The population to the SW of the site and the population has a majority of no religion reported (55.9%) and 36.1% Christian population. Other populations close by report a majority of Muslim (81.6% and 64.7%). There are some representations of other religions, including Hindu and Buddhist, but majority representation are Muslim, Christian and no religion. So it could be assumed that there will be a differential impact on Christian, Muslim and those of no religion in relation to the employment opportunities available in close proximity to where they work, but also, as the development seeks to encourage visitors from across the UK, it cannot anticipate the number of visitors representing all religions and faiths.

What action(s) can you take to address the differential impact?

None identified to date

Sex

Will this proposal have a **differential impact [positive/negative]** on male, female or non-binary persons?

| | Yes | No | N/A |
|--------------------|-----|----|-----|
| Male persons | | X | |
| Female persons | | X | |
| Non-binary persons | | | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The development of Atlantic Wharf is expected to have a positive impact on all people and not a differential impact on people because of their sex.

In terms of the office development, it is anticipated that introducing policies to support modern working practices, and providing the appropriate environment and resources to enable people to work in a flexible way to suit their circumstances will have a positive impact on everyone. It is not expected to have a differential impact on people because of their sex.

However, the travel and parking arrangements may have a differential impact on women, who statistically are primary care givers and so may require access to their cars before, during and after work.

What action(s) can you take to address the differential impact?

None identified to date

Sexual Orientation

Will this proposal have a **differential impact [positive/negative]** on people with different sexual orientations?

| | Yes | No | N/A |
|--------------|-----|----|-----|
| Bi | | X | |
| Gay | | X | |
| Lesbian | | X | |
| Heterosexual | | X | |
| Other | | x | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The regeneration of Atlantic Wharf will have a positive impact on all Cardiff residents and visitors to the area, regardless of sexual orientation. This project is not expected to have a differential impact on any person due to their sexuality.

The 2021 census shows that the populations surrounding the Atlantic Wharf site are predominantly hetero sexual (straight) – at least by an average of c60.4%, so it could be assumed that there is a differential impact for the straight community, however, the overall aim is to provide an environment conducive for all, so it could be translated that members of the LBGTQ community should have a positive experience in and around Atlantic Wharf. The development seeks to attract visitors from all over the UK and so cannot anticipate the numbers of visitors from the LBGTQ community. It should also be noted that there will be provision within the programme of events for potentially LBGTQ specific events.

What action(s) can you take to address the differential impact?

| |
|--|
| |
|--|

Socio-economic Duty

Is the change anticipated to reduce or contribute to inequality of outcome as a result of socio-economic disadvantage? (e.g. will the change negatively impact on those on low-incomes or those living in deprived areas?)

| | Yes | No | N/A |
|-----------------------|-----|----|-----|
| Socio-economic impact | | | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

Socio economic duty requires public bodies to adopt transparent and effective measures to address the inequalities that result from differences in occupation, education, place of residence or social class.

The development of Atlantic Wharf aims to deliver an accessible and inclusive development that provides an enriched environment for everyone to be able to access and enjoy, irrespective of their social class, education, role within the Council or where they live.

Travel and Transport

New Office Space

With any destination across the City, there will be travel costs associated with getting to work and these costs may vary depending on the starting point of the journey, how far and the mode of transport being used. Those local to any core office building will always benefit from lower transport costs. The project cannot control the cost of using buses and trains, nor can it manage the cost of fuel and using the road. However, the Core Office Strategy must consider the Council's commitment to Active Travel and the One Planet Strategies when determining car parking facilities and other resources that will facilitate everybody's choice about getting to work, including the provision of secure bicycle parking, showers and changing facilities.

A full review of employee data and further engagement regarding travel to and from work will help inform this as options regarding the locations and scope of the buildings are considered.

Area A and RDC

The same must be applied when considering the delivery of major cultural attractions like the Arena and also the proposed exhibition/event space.

The 2021 Census shows that there is high percentage of economically inactive households to the NW of the development, and so it could be assumed that this population will see a positive differential impact in being able to access facilities without the cost of travel and parking.

Cost of Living

It is also important to acknowledge that hybrid working practices will increase the time that some employees spend working from home. Consideration must be given to the additional requirements for people working at home, including:

- Ergonomic workstations
- Adequate technology and other related resources like broadband packages, telephone connections etc
- Potential increase in heating and lighting costs

The cost of living situation requires careful consideration and where the council can work to develop more cost effective core office facilities, it also needs to consider its policies in supporting the potential increasing costs for staff working at home.

Arena and Area A and RDC

Care must be taken to ensure that there is a programme of events available that is accessible to all, regardless of economic status- including free and low cost events, concessions for vulnerable groups etc

What action(s) can you take to address the differential impact?

The project will need to ensure that throughout the operational strategy delivers inclusive and accessible programmes of activities for all socio-economic groups. Also, ensure that there is a reasonable balance of chargeable and free to

access activity and the public space is conducive for social and leisure interaction for all.

Welsh Language

Will this proposal have a **differential impact [positive/negative]** on the Welsh language?

| | Yes | No | N/A |
|----------------|-----|----|-----|
| Welsh language | | x | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The regeneration of Atlantic Wharf will have a positive impact on all Cardiff residents and visitors to the area. It is not expected that this project will have a differential impact on the Welsh language or Welsh language speakers of any level. (Bilingual signage will make it a welcome environment for Welsh speaking visitors too so positive for the Welsh Language.)

What action(s) can you take to address the differential impact?

Ensure that all facilities comply with the Welsh Language Act and that all visitors to Atlantic Wharf have the choice of accessing services in both Welsh and English.
During the project development, ensure all obligations regarding Welsh Language are met.

Consultation and Engagement

What arrangements have been made to consult/engage with equality/ community organisations, especially those who are representative of those you have identified as being likely to be affected?

At the inception of this project, a PESTLE analysis was carried out- see appendix A. This will need to be reviewed and updated with current project scopes and up to date equality data.

Initial consultation and engagement commenced with known stakeholder groups, these groups included representatives of the local communities and local residents and ward members.

In addition, there has been consultation with RDC tenants, other local businesses and Council staff.

As the project is progressing, the stakeholder representation is reviewed, and additional groups of people are engaged.

There has been some initial communication with the Council’s Equality Team that has increased as the project has progressed. Feedback has been invited and received and actions to date and further engagement will continue as the project workstreams progress.

There are further consultations scheduled and these will continue throughout the project.

Summary of Actions (Listed in the sections above)

| | Actions |
|------------------------------|--|
| Age | The Council, working with all respective partners and stakeholders will ensure that when considering the development of Atlantic Wharf, the requirements of people of all ages are taken into consideration ensuring that accessibility and inclusivity is a focus of all stages of the project- this includes the accessibility of the transport links that are already servicing the area and, in the design, and delivery of the MSCP |
| Disability | Throughout all of the developments across Atlantic Wharf, consideration must be given to the design of all components to ensure accessibility for all abilities. Equally, in the delivery of programmes, there must be consideration of how people of all abilities can access and enjoy the opportunities available |
| Gender Reassignment | In line with the Council's Stonewall submission, gender neutral welfare will be included in all designs and plans |
| Marriage & Civil Partnership | None |
| Pregnancy & Maternity | Consideration for pregnant and nursing parents |
| Race | The Council and relevant partners will ensure communication with local communities is maintained throughout the process, engaging with existing residents to gain an insight into local needs and ensure they are considered in the planning and design and in the programme of delivery |
| Religion/Belief | The Council and relevant partners will ensure communication with local communities is maintained throughout the process, engaging with existing residents to gain an insight into local needs and ensure they are considered in the planning and design and in the programme of delivery |
| Sex | The Council and relevant partners will ensure communication with local communities is maintained throughout the process, engaging with existing residents to gain an insight into local needs and ensure they are considered in the planning and design and in the programme of delivery |
| Sexual Orientation | The Council and relevant partners will ensure communication with local communities is maintained throughout the process, engaging with existing residents to gain an insight into local needs and ensure they are considered in the planning and design and in the programme of delivery |

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| Socio-economic Impact | The project will need to ensure that throughout the operational strategy delivers inclusive and accessible programmes of activities for all socio-economic groups. Also, ensure that there is a reasonable balance of chargeable and free to access activity and the public space is conducive for social and leisure interaction for all. |
| Welsh Language | Ensure that all facilities comply with the Welsh Language Act and that all visitors to Atlantic Wharf have the choice of accessing services in both Welsh and English. During the project development, ensure all obligations regarding Welsh Language are met. |
| Generic/ Over-Arching (applicable to all the above groups) | |

Next Steps

Any recommendations for action that you plan to take as a result of this Equality Impact Assessment (listed in Summary of Actions) should be included as part of your Service Area's Business Plan to be monitored on a regular basis.

Where the Equality Impact Assessment shows negative impacts, you must append the form to the Cabinet or Officer Decision Report.

On completion of this Assessment, please ensure that the whole form is submitted to the Equality Team mailbox so that there is a record of all assessments undertaken in the Council EqualityTeam@cardiff.gov.uk

B: Child Rights Impact Assessment

The aim of a Child Rights Impact Assessment is to put children and young people at the forefront of decision-making. The assessment helps officers to consider how the rights of children and young people may be affected by a proposed policy or project.

Click [here](#) to start a Child Rights Impact Assessment.

You will receive an automated email containing a link to your Child Rights Impact Assessment template and the Child Friendly Cardiff Team will be in contact to support you.

Guidance for Local Government prepared by Unicef is available here:

[Child Rights Impact Assessment - Child Friendly Cities & Communities \(unicef.org.uk\)](https://www.unicef.org.uk/child-rights-impact-assessment-child-friendly-cities-communities)

For further information or assistance in completing the Child Rights Impact Assessment, please contact the Child Friendly Cardiff Team ChildFriendlyCardiff@cardiff.gov.uk

Next Steps

Where it is considered that a Child Rights Impact Assessment is required, you must append the form to the Cabinet or Officer Decision Report.

C: Welsh Language Impact Assessment

Please consult with Bilingual Cardiff for any assistance with completing this assessment
Bilingualcardiff@cardiff.gov.uk

Welsh Language Standards 88-97

Standard 88

Will this proposal have a **differential impact** [positive/negative] on:

| | Yes | No | N/A |
|---|-----|----|-----|
| The opportunities for persons to use the Welsh language? | | | |
| Treating the Welsh language no less favourably than the English language? | | | |

Please give details/ consequences of the differential impact, and provide supporting evidence, if any.

Standard 89

Could this proposal be formulated or re-formulated, so that it would have positive effects, or increased positive effects, on:

The opportunities for persons to use the Welsh language?

Treating the Welsh language no less favourably than the English language?

Standard 90

Could this proposal be formulated or re-formulated to ensure that it does not have adverse effects, or a decreased adverse effect, on:

The opportunities for persons to use the Welsh language?

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Treating the Welsh language no less favourably than the English language?

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Standard 91

When consulting on the proposal, were views considered, and sought, on the effects (both positive and negative) that it would have on:

The opportunities for persons to use the Welsh language?

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Treating the Welsh language no less favourably than the English language?

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Standard 92

Did the consultation seek and give consideration to views on how the proposal could have positive, or increased positive effects, on:

The opportunities for persons to use the Welsh language?

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Treating the Welsh language no less favourably than the English language?

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Standard 93

Did the consultation seek and give consideration to views on how the proposal could have no adverse effects, or decreased adverse effects, on:

The opportunities for persons to use the Welsh language?

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Treating the Welsh language no less favourably than the English language?

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Standard 94

If the proposal includes the awarding of grants, has consideration been given to the guidance presented in Cardiff Council's Policy on Awarding Grants in Compliance with the Welsh Language Standards with regard to:

The opportunities for persons to use the Welsh language?

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Treating the Welsh language no less favourably than the English language?

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Standard 95

If research was undertaken or commissioned to assist with the development of the proposal, did it give consideration to whether it would have a **differential impact [positive/negative]** on:

The opportunities for persons to use the Welsh language?

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Treating the Welsh language no less favourably than the English language?

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Standard 96

Did the research undertaken or commissioned to assist with the development of the proposal give consideration to how it could have a positive effect, or increased positive effects, on:

| |
|---|
| The opportunities for persons to use the Welsh language? |
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| Treating the Welsh language no less favourably than the English language? |
| |

Standard 97

Did the research undertaken or commissioned to assist with the development of the proposal give consideration to how it could have no adverse effect, or decreased adverse effects, on:

| |
|---|
| The opportunities for persons to use the Welsh language? |
| |

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| Treating the Welsh language no less favourably than the English language? |
| |

Material and Services

In addition to the impact assessment to ensure that the proposal meets the requirements of the Welsh Language Standards, consideration must also be given to the supporting materials and services that may be required.

These include (please click on the hyperlinks to view detailed information about the requirements under the Welsh Language Standards):

- [Correspondence](#) - receiving and replying (emails, letters, online communication).
- [Telephone](#) – receiving and answering calls.
- [Meetings & Public Events](#) – public meetings or events, group meetings, consultation, individual meetings.
- [Public Messages – electronic – video](#)
- [Signs, Notices & Display Material](#)
- [Publicity & Advertising](#)
- [Producing Public Documents](#) - policies, strategies, annual reports, corporate plans, guidelines, notices, codes of practice, consultation papers, licences, certificates, rules, brochures, leaflets, pamphlets or cards, ticket/vouchers.
- [Producing Forms](#)
- [Reception Services](#)
- [Websites, Apps and Online Services](#)
- [Social Media](#)

- [Self Service Machines](#)
- [Education Training Courses](#)
- [Public Address Announcements](#)

Are all supporting materials and services compliant with the requirements of the Welsh language standards?

Cardiff Council's Welsh Language Skills Strategy

This strategy may be viewed here and additional guidance documents have been produced to support its implementation:

- [Assessing Welsh Language Skills and Identifying Welsh Essential Roles](#)
- [Recruitment, Selection, and Interview Procedures and the Welsh Language](#)

Do you have access to sufficient Welsh speaking staff to support the delivery of the proposal in compliance with the requirements of the Welsh language standards?

Next Steps

Where it is considered that a Welsh Language Impact Assessment is required, you must append the form to the Cabinet or Officer Decision Report.

A copy must also be emailed to Bilingual Cardiff Bilingualcardiff@cardiff.gov.uk

D: Habitats Regulations Assessment

| | Yes | No |
|--|--------------------------|--------------------------|
| Will the proposal affect a European site designated for its nature conservation interest*, or steer development towards an area that includes a European site, or indirectly affect a European site? | <input type="checkbox"/> | <input type="checkbox"/> |

** Only two European sites designated for nature conservation interest lie within Cardiff's boundaries – the Severn Estuary and Cardiff Beech Woods, but be aware if your project affects an area close to a neighbouring authority.*

If the answer is 'Yes', then a screening exercise may need to be conducted to determine if a Habitats Regulations Assessment is required or not.

Contact the [Biodiversity Team](#) who will guide you through the process.

E: Strategic Environmental Assessment

| | Yes | No |
|---|--------------------------|--------------------------|
| Does the strategy, policy or activity set the framework for future development consent? | <input type="checkbox"/> | <input type="checkbox"/> |

| | Yes | No |
|--|--------------------------|--------------------------|
| Is the strategy, policy or activity likely to have significant environmental effects (positive or negative)? | <input type="checkbox"/> | <input type="checkbox"/> |

If you have answered 'Yes' to both of the above questions, then a full Strategic Environmental Assessment Screening is needed.

Contact the [Sustainable Development Unit](#) who will guide you through the process.

F: Data Protection Impact Assessment

| | Yes | No |
|--|--------------------------|--------------------------|
| Will the proposal involve processing information that could be used to identify individuals? | <input type="checkbox"/> | <input type="checkbox"/> |

If the answer is 'Yes', then a Data Protection Impact Assessment may be required.

Click [here](#) to read the guidance and start the Data Protection Impact Assessment process if needed.

For further information, contact the [Data Protection Service](#).

G: Health Impact Assessment

A Health Impact Assessment helps to develop policies and projects that consider the mental, physical and social health and well-being of a population during planning and development. Considering health inequalities and their impacts on local communities is an essential part of any Health Impact Assessment.

Health Impact Assessments will become a statutory requirement for public bodies in specific circumstances in the future. These circumstances have yet to be published by Welsh Government.

For further information and advice, please contact the Wales HIA Support Unit.

Website: [Home - Wales Health Impact Assessment Support Unit \(phwwhocc.co.uk\)](https://phwwhocc.co.uk)

Email: WHIASU.PublicHealthWales@wales.nhs.uk

Appendix A-PESTLE

| Political | |
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| Driver | Impact |
| Cardiff has to 'work for Wales' – a successful Wales requires a successful capital | <ul style="list-style-type: none"> • A regenerated bay will boost the economy of Wales by; <ul style="list-style-type: none"> - Creating more jobs - Bringing in more money through new businesses - Inviting tourists - Incentivising citizens to spend money locally |
| Cardiff has to 'work for the future' – managing the city's growth in a sustainable way <ul style="list-style-type: none"> • The population is set to rise to 400,000 people by 2025 and the number of daily commuters is expected to see an increase of 150,000 by 2025 | <ul style="list-style-type: none"> • Regenerating the bay will vastly expand the transport options for people in the bay, important especially as the population rises in the area, and in Cardiff in general • Residential developments built as part of the regeneration can be built using new technology to make them as energy efficient as possible, limiting the negative effect on the environment • Regenerating the bay can be designed with the protection of the environment as a priority with walkways/cycleways, green spaces and SuDS |
| Keep the capital as the beating heart of Welsh cultural life | <ul style="list-style-type: none"> • The new arena will bring in events and can be used to hold elements of future festivals creating a more cultural environment in Cardiff • This huge addition to Cardiff will establish Cardiff as the best city for culture in Wales |
| Economic | |
| Driver | Impact |
| Capital Ambition's aim to increase tourism | <ul style="list-style-type: none"> • The regeneration of the bay includes the creation of a 17,000 capacity arena <ul style="list-style-type: none"> - Events held at the arena will bring in people from other places who will spend money on local services whilst here, contributing to the local economy. - The completion of the arena will encourage other tourism focused business into the bay, perpetuating the tourism financial gains. • In a more long term sense, regenerating the bay will set the tone that Cardiff is a prominent city for culture and leisure and will continue to bring events and business to the city. • |

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| <p>Lower unemployment</p> <ul style="list-style-type: none"> Particularly in the south of the city where long term unemployment stands at 2.4% compared to the city average of 1.7% (<i>Census 2011</i>) | <ul style="list-style-type: none"> Building in the bay will create direct jobs; <ul style="list-style-type: none"> In the arena In supporting shops, bars, clubs and hotels which are expected to develop in response to more people being in the bay In the maintenance of the bay area itself Within the creation and maintenance of new infrastructure such as the railway lines Regenerating the Bay also includes the creation of more transport links <ul style="list-style-type: none"> New stations “in the heart of Cardiff Bay” as well as new and cheaper bus routes give people better access to and from the bay to other areas of the city to get to work improving their prospects for employment |
| <p>Inviting external investment and creating budget to recycle into future projects</p> | <ul style="list-style-type: none"> The regeneration of the bay will holistically breath life back into the local economy by; <ul style="list-style-type: none"> Boosting current business Increasing disposable income for residence Encouraging people to spend money in the bay Making the bay more accessible for people of other areas of Cardiff to come and spend money in the area Creating an inviting environment for external business to have confidence in |
| Social | |
| Driver | Impact |
| <p>The desire to avoid ‘silos’ in a multicultural city</p> <ul style="list-style-type: none"> The southern neighbourhoods have a higher level of ethnic diversity (<i>Census 2011</i>) | <ul style="list-style-type: none"> Improved the safety of residents by lowering potential for hate crime Improved interactivity through better cycleways and walkways, greenspaces/parks Opportunities for groups to come together though organised social or sports meetings and large events at the arena Improved opportunities for cultural mixing and inclusivity through encouraging businesses to the area giving people a chance to experience/broaden their cultural understanding e.g. trying ethnic foods at new restaurants. |

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| <p>A need to end rough sleeping</p> <ul style="list-style-type: none"> Particularly in the south of Cardiff - “if the ‘Southern Arc’ of Cardiff, from Ely in the West to Trowbridge in the East was considered a single local authority, it would be far and away the poorest in Wales”. (<i>Capital Ambition 2018</i>) | <ul style="list-style-type: none"> Better housing options for people currently sleeping rough – The Capital Ambition aims to “Deliver new Youth Hubs in the city centre and in Butetown which will house integrated services for young people, helping them get the skills and experience they need to succeed.” And to create more “accessible homes and ‘care-ready’ and specialist properties.” Greater employment opportunities with new business and commerce likely to move into the bay area, jobs within the arena, and the general maintenance of the bay. Greater accessibility to jobs with improved public transport with more rail and bus stations “in the heart of Cardiff Bay”, “£1 Journeys” on all busses, “a fully integrated ticketing system” making travel cheaper and simpler, an expanded Next Bike scheme and free options such as cycleways, 5 of which are planned and outlined in the Transport White Paper. |
| <p>Improving public health and safety</p> <ul style="list-style-type: none"> “The most common cause of death for children between the ages of five and 14 years is being hit by a vehicle. Fear of traffic and the cars clogging up our streets has put a stop to children playing outside and limited their independence across much of our city.” - Healthy travel for all in Cardiff and the Vale of Glamorgan, Annual Report 2017 - “Only 34% of people think cycling safety in Cardiff is good, and only 23% think the safety of children’s cycling is good” – Bike Life 2017 | <ul style="list-style-type: none"> Improved transport options including the South Wales Metro, Next Bike scheme and active travel plans aim to drop daily car journeys from 49% to 25% by 2030 by increasing public transport journeys from 19% to 33% and active travel from 31% to 43%. <ul style="list-style-type: none"> - This would lower traffic accidents making daily life safer for drivers, cyclists and pedestrians. - A general switch to public transport will lower car emissions, increasing air quality. The Capital Ambition states that Cardiff Council will “Grow the number of parks in Cardiff which receive the Green Flag Award and encourage a more proactive approach to street and front garden planting, pocket parks and informal green spaces. <ul style="list-style-type: none"> - Gives residents somewhere local and safe where they can keep fit - Allows for more trees which help to soak up carbon dioxide |

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| | <ul style="list-style-type: none"> - Improves mental health and stress levels • A more overall accessible environment will be created in the bay allowing people to be more independent and to have a greater contact with a wider variety of people. <ul style="list-style-type: none"> - This in turn creates more availability for support groups, social gatherings and events, recreational time and exercise. • “Encourage the uptake of electric vehicles by significantly increasing the number of publically available electric vehicle charging points by 2025, and making all Council Fleet Cars and LGVs zero emission capable by 2025, and HGVs zero emission capable as soon as possible.” Capital Ambition 2019 <ul style="list-style-type: none"> - Those who still need to drive, and those industries that rely on motorised transport will have less impact on the environment and the air quality of Cardiff residents |
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| Technological | |
|---|---|
| Driver | Impact |
| An overall aim to keep Cardiff as up to date as other major cities as technology continues to move forward at a fast pace | |
| Using modern technology in transport to save money | <ul style="list-style-type: none"> • Updated trains and trams in and out of the bay will be more efficient and so cheaper to run <ul style="list-style-type: none"> - TFW state that they are investing in “innovative Tri-mode multiple unit (diesel, electric, battery)” and similar “electric/battery tram-train” • Using technology such as improved broadband/5G connectivity, faster commuters and improved, secure communication software, a culture of agile working can be created. This has the potential of raising the productivity of the city by cutting commuter hours for those working at home and those who still needed to commute by reducing car numbers on the roads. |

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| <p>Using modern technology in transport can help to mitigate the affect put on the environment</p> | <ul style="list-style-type: none"> • New electric engines in cars, trains, trams and busses create less carbon emissions • The bike share scheme 'Next Bike' uses modern technology to provide easy access to bikes, encouraging people to cycle around the city • "innovative housing solutions" and "low carbon housing" work to ease the amount of power consumed by residents • "modern methods of construction" will ease the power consumed while building the regeneration work |
| <p>Using modern technology to improve the quality of life for citizens</p> | <ul style="list-style-type: none"> • Cleaner transport help improve the air quality in the city • Cheaper transport allows commuters to have more disposable income • SuDS will create more green spaces which; <ul style="list-style-type: none"> - can reduce carbon dioxide in the air - provide a relaxing and safe place to exercise, relax and socialise • Better transport links encourage business, improving the economy creating the potential for greater income for Cardiff residents and workers |
| Legal | |
| Driver | Impact |
| <p>The Wellbeing of Future Generations (Wales) Act</p> <ul style="list-style-type: none"> • "the ambition, permission and legal obligation to improve our social, cultural, environmental and economic well-being" | <p>A Prosperous Wales</p> <ul style="list-style-type: none"> • Decent work: <ul style="list-style-type: none"> - Cardiff Bay's regeneration will connect people better than before to all parts of the city, allowing people to procure work regardless of their geographical location - It will also create work, meaning those who cannot or wish not to travel can find employment on their doorstep • Local economies: <ul style="list-style-type: none"> - Regenerating Cardiff Bay will also boost the economy by bringing in more business and commerce to the bay with better transport links and incentivise like the arena bringing in money for hotels, restaurants and bars - More jobs for local people will mean people have more income to spend on local services • Community energy and a low carbon society |

- Implementing modern technology into transport and offices will make it possible for work to be done more economically and with less cost on the environment

A Resilient Wales

- Biodiversity and Soil and Natural Green Space
 - The regeneration of the bay will keep the Capital Ambition's aims of growing "the number of parks in Cardiff" and using SuDS. Both of which will create more green spaces and support biodiversity in Cardiff
- Water and Air Quality
 - SuDS will work towards improving water quality, as water drains back to the rivers and sea it will be less polluted helping support the growth of wildlife in the area
 - Greener, cheaper public transport and a culture or walking and cycling brought on by cycleways and 'Next Bike' will drop the numbers of cars on the road, decreasing carbon emissions and improving air quality
 - Greenspaces where plant life can grow will further reduce carbon dioxide in the air

A More Equal Wales

- Fair work
 - A much improved transport system will ensure "equal access to decent jobs", not discriminating on geographical location
- Educational opportunities
 - Similarly, a more advanced network means people can travel better, broadening their access to educational facilities
- Participation
 - Further opening up the bay to the rest of the city increases inclusivity, making people easier to reach and making some people feel more involved in the city that they live in

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| | <p>A Healthier Wales</p> <ul style="list-style-type: none"> • An Active Nation <ul style="list-style-type: none"> - Creating more green spaces and walkways in Cardiff Bay give residents places in their neighbourhoods, to keep active and exercise <p>A Wales of Cohesive Communities</p> <ul style="list-style-type: none"> • People active in their communities and connected communities <ul style="list-style-type: none"> - Regenerating Cardiff Bay will revitalise the area, encouraging local residents to pursue a greater interest in their suburb and come together to work towards maintaining and improving the bay in a community driven way <p>A Wales of Vibrant Culture and Thriving Welsh Language</p> <ul style="list-style-type: none"> • Supporting people <ul style="list-style-type: none"> - Bringing the arena to the heart of the bay will give people greater access to cultural events and will give space for our cultural professionals to bring out the best in themselves • Engaging with culture <ul style="list-style-type: none"> - Investing in a multicultural area such as the bay, brings in money and opportunity for people of a range of backgrounds to express their culture in the area, and expanding interconnectivity allows more people to experience the cultural mix available in the bay |
| Environmental | |
| Driver | Impact |
| <p>A general demand to tackle climate change during this “Climate Emergency” – Capital Ambition</p> | <ul style="list-style-type: none"> • Encouraging people out of their cars and onto public transport/active travel reduces the numbers of cars on the roads which reduces carbon emissions <ul style="list-style-type: none"> - 7 train stations on 3 separate lines in the bay area compared to 1 now allows for much greater access to the city and beyond from the bay as well as into the bay, without using cars. |

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| | <ul style="list-style-type: none"> - More cycle-lanes throughout the city allow cyclists in the bay to cycle instead of drive to other suburbs rather than only to the city centre as current on the Taff Trail. - £1 bus journeys and an integrated ticket system for trains, trams, busses and bikes will make commuting without a car cheaper and easier than currently. • Limiting the carbon emissions caused by motor vehicles. <ul style="list-style-type: none"> - Increasing the number of publicly available electric vehicle charging points by 2025 - Making all Council Fleet Cars and LGVs zero emission capable by 2025 - Working with the taxi industry to achieve overall improved standards, services and fleet, with a phased but ambitious approach to allow drivers to convert to more sustainable vehicles. • A culture of agile working and the infrastructure to support it such as 5G connectivity lowers the numbers of cars during daily commutes |
| Improved infrastructure needed to mitigate flooding as global sea levels rise | <ul style="list-style-type: none"> • Updated roads and new areas created in the bay can be created with Sustainable Drainage Systems (SuDS) built in • Regenerating the Bay offers opportunities to review and improve flood defences |
| Empower and encourage local wildlife | <ul style="list-style-type: none"> • SuDS creates green spaces – room for plants and animal wildlife • The Capital Ambition 2019 states that Cardiff Council will “Grow the number of parks in Cardiff” – regenerating the bay can be designed around the creation of these parks • Creating more green space and encouraging the growth of plant life will help to reduce carbon emissions |

CYNGOR CAERDYDD
CARDIFF COUNCIL

ECONOMY & CULTURE SCRUTINY COMMITTEE

11 JULY 2023

INTERNATIONAL SPORTS VILLAGE DEVELOPMENT: PRE-DECISION SCRUTINY

Appendices 2-5 of the Cabinet Report are not for publication as they contain exempt information of the description contained in paragraphs 14 and 16 of Part 4 and paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972. It is viewed that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Purpose of the Report

1. To provide background information to Members to aid their scrutiny of the draft report to Cabinet titled '*International Sports Village Development*', which is due to be considered by Cabinet at their meeting on 13 July 2023.

Structure of papers

2. Attached to this cover report are the following appendices:
 - i. Appendix A – report to Cabinet titled '*International Sports Village Development*'
 - ii. Appendix 1 - Disposal Plan
 - iii. Confidential Appendix 2 - Legal Summary & Agreement
 - iv. Confidential Appendix 3 - Surveyors Report
 - v. Confidential Appendix 4 - Lift & Shift Option Review (Car Parking)
 - vi. Confidential Appendix 5 - Yacht Club & Boat Yard Revised Boundary Plan
 - vii. Appendix 6 - Single Impact Assessment
3. Members should note that **Appendices 2-5** of the Cabinet report are exempt from publication. Members are requested to keep this information confidential, in line with their responsibilities as set out in the Members Code of Conduct.

Scope of Scrutiny

4. At their meeting on 13 July 2023, the Cabinet will consider a report that:

- i. seeks authority to progress the disposal strategy for the residential and commercial development plots at ISV
 - ii. seeks approval of the development of a Full Business Case to determine a long-term car parking solution
 - iii. seeks authorisation to undertake a soft market testing exercise to inform development of the Outline Business Case for the Energy Strategy.
5. During this scrutiny, Members have the opportunity to:
 - i. Explore the proposed disposal strategy for the residential and commercial development opportunities at ISV
 - ii. Consider the updates provided and proposals regarding car parking and Energy Strategy
 - iii. Test the financial, legal, and property implications
 - iv. Test whether there are any risks to the Council
 - v. Gain an understanding of the next steps and timelines involved and
 - vi. Test the recommendations to Cabinet.

Structure of the meeting

6. The Chair will move that this item be considered in two parts: an open session, where Members will be able to ask questions on the issues and papers that are in the public domain; and a closed session, where members of the public will be excluded, where Members can ask questions that pertain to **Appendices 2-5**.
7. Members will hear from Councillor Goodway (Cabinet Member – Investment and Development), Neil Hanratty (Director of Economic Development), Chris Barnett (OM Major Projects) and Jo-Anne Phillips (Project Manager). There will be a presentation taking Members through the proposals and recommendations to Cabinet, followed by Members' questions.
8. Members will then be able to decide what comments, observations or recommendations they wish to pass on to the Cabinet for their consideration prior to making their decisions

Background

9. In July 2017, the Council's new Administration set out a policy programme and associated delivery commitments in the Capital Ambition five-year plan. This contains a commitment to *'Set a refreshed vision for Cardiff Bay as a leisure destination, by securing a new visitor attraction, with the possible creation of a permanent "beach style" facility and revitalising the strategy for the International Sports Village.'*
10. In March 2018, Cabinet provided authority for the Council to acquire 4.32 acres of land on the former Toys'R'Us retail building including a large service yard and circa 300 car parking spaces. The rationale for the acquisition was to improve the development potential of the Council's adjoining land holding known as Retail 3.
11. In March 2021, Cabinet approved a new masterplan for the leisure component of the ISV.
12. In September 2021, Cabinet authorised the acquisition of assets owned by GPL, including the Ice Arena, to enable the existing development agreement to be terminated.
13. In March 2022, Cabinet approved an updated masterplan and gave authority for soft marketing to develop a disposal strategy for residential and commercial land and extending the Full Business Case for the leisure attraction to include a Closed Loop Circuit, with associated infrastructure and public realm works.
14. In January 2023, Cabinet approved a land disposal strategy, appointed 'in principle' a preferred developer to acquire the land, approved the Outline Business Case (OBC) for the sport/ leisure infrastructure, approved the appointment of operators, approved progression of a Management Organisation and Booking System, and agreed to move to Internal Repairing and Insuring lease arrangements, with the introduction of an associated service charge regime.

Issues identified in the Cabinet Report

15. The report to Cabinet, at Appendix A, contains the following sections:

- i. Overarching Issues – points 8-9
- ii. Residential and Commercial Development – points 10- 17
- iii. Cardiff Bay Yacht Club – points 18 – 20
- iv. ISV Leisure Destination – points 21- 22
- v. Transport Hub – point 23
- vi. Energy Strategy - points 24 – 27
- vii. Next Steps – points 28 – 32.

16. The main points to note are:

Issues

- i. The ISV development is required to be self-financing where the Council recovers all of its recent investment in land acquisition and will use the surplus value of land in its ownership to fund the completion of the sport/leisure attraction
- ii. The rise in interest rates is affecting the business case for investment
- iii. The intention is to bring forward successive phases of development

Residential and Commercial Development

- iv. Confidential Appendix 2 – sets out draft legal arrangements for disposal of residential and commercial plots, via a defined programme, avoiding land banking and periods of inactivity; Cabinet approval is sought for delegated authority to conclude negotiations based on this draft.
- v. Appendix 1 – the Council has agreed to dispose of land right up to the water's edge, with an obligation to remove existing cantilevered boardwalk and deliver a boulevard along the water's edge within the 8-metre reservation.

Car Parking

- vi. Confidential Appendix 2 – sets out obligation for circa 800 car parking spaces
- vii. Confidential Appendix 4 - sets out longer-term options for meeting car parking obligation; it is intended to present a Full Business Case (FBC) to Cabinet before Christmas

viii. Interim arrangements can be accommodated on the ToysRUs/ Retail 3 site
Cardiff Bay Yacht Club

ix. Confidential Appendix 5 – illustrates proposed realignment of access road and boundary

x. New boatyard to enable regular water taxi service between ISV and Mermaid Quay

ISV Leisure Destination

xi. Aim to bring a report to Cabinet before Christmas detailing how the Council intends to complete and fund the leisure destination, reducing reliance on borrowing to avoid uncertainties relating to interest rate volatility and maximising value through disposal of land and assets to raise capital.

Transport Hub

xii. Work continues to improve public transport, including bus, train, water taxi, pedestrian and cycling provision.

Energy Strategy

xiii. To enable investment by Welsh Government, the Strategy is being divided into 2 phases, with Phase One including:

i. Low carbon heat exchange system – linking International Pool and Ice Arena

ii. Installation of solar PV on existing facilities.

xiv. The next step is soft market engagement to consider delivery and operation models and to develop an OBC for investment, presented to Cabinet before Christmas, with a FBC to be presented to Cabinet in early 2024.

17. Financial Implications are at **points 34 – 40** , and highlight:

- i. Approving and implementing the disposal strategy will bring increased funding certainty to the wider project
- ii. Capital receipts from residential and commercial land disposals are required to fund other aspects of the development
- iii. Decision takers need to consider the legal advice in Confidential Appendix 2 and the surveyors report at Confidential Appendix 3 to ensure the proposal provides sufficient protection for the Council, generates best value, and can deliver the infrastructure and remediation required

- iv. Any delays in implementing the disposals strategy means the Council incurs holding costs for the site
- v. It is important a clear strategy for car parking provision is developed early to avoid any potential abortive costs
- vi. The costs associated with the development of business cases and soft market testing exercise will need to be identified by the Directorate along with suitable funding sources, prior to progressing
- vii. Future reports to Cabinet will include more detailed financial implications.

18. Legal Implications are at **points 41 - 51** and highlight:

- i. The Option Agreement for the residential and commercial plots is structured so that the transaction constitutes a land arrangement, with 250 years leases
- ii. The legal basis for disposal of Council-owned land
- iii. The legal basis for acquisition of land
- iv. The land swap with Cardiff Bay Yacht Club will be on a freehold basis
- v. The legal basis for the Council investing
- vi. The need to take account of the Council's fiduciary duties to residents and taxpayers
- vii. The need for the decision maker to consider its duties with regard to the Equality Act 2010, the Public Sector Equality Duties, the Well- Being of Future Generations (Wales) Act 2015, and the Welsh Language (Wales) Measure 2011 and Welsh Language Standards

19. Property Implications are at **points 52-57** stating:

- i. Work is ongoing to formulate the format for the management of services to be provided and the estimated service charge schedule
- ii. Confidential Appendix 3 contains details of the Heads of Terms
- iii. There are some title issues to resolve around the boundaries of the waterfront site; this is currently with Legal.

20. There are no **HR implications** in this report.

Proposed Recommendations to Cabinet

21. The report to Cabinet contains the following recommendations:

- 1) *Approve the disposal for the residential and commercial plots as set out in this report and the legal report attached at **Confidential Appendix 2** and in line with independent valuers advice attached at **Confidential Appendix 3** and the proposals at **Confidential Appendix 5** and to delegate authority to the Director of Economic Development in consultation with the Cabinet Member for Investment and Development, the Section 151 Officer and the Legal Officer to conclude all legal agreements to complete the disposal strategy.*
- 2) *Note the lift and shift obligation set-out at **Confidential Appendix 2** and approve the development of a Full Business Case to determine a long-term car parking solution for the ISV site to be presented back to Cabinet for approval in advance of the first call-down of land by the appointed developer.*
- 3) *Authorise a soft market testing exercise to inform the further development of the Outline Business Case for the Energy Strategy to be presented back to a future meeting of Cabinet.*

Previous Scrutiny

22. This Committee has undertaken numerous scrutinies of the International Sports Village, including scrutinies of the proposals for a Velodrome and the Multi Storey Car Park. Since 2021, this scrutiny has included:

- i. March 2021 – Velodrome and ISV Development Strategy
- ii. July 2021 – Velodrome: International Sports Village
- iii. September 2021 – ISV Update and Development Strategy
- iv. March 2022 – Cardiff Bay Regeneration Update – including updated ISV masterplan and cycling facilities
- v. December 2022 - Cardiff Bay Regeneration
- vi. January 2023 – International Sports Village.

23. Much of the information considered in the above scrutinies has been confidential and therefore Members comments, observations and recommendations on this

information cannot be included here. Regarding the information in the public domain, Members have made the following points:

Velodrome – July 2021¹

- i. Members request that you provide details of the plans to achieve improvements to active travel routes to the ISV site, including access from Cogan Station, the Ely trail, routes around the Cardiff Bay Retail Park and routes within the ISV site and Cardiff Bay. We are seeking reassurance that active travel is being planned into the overall improvement of the ISV site.

ISV – September 2021²

- ii. Members took the opportunity to raise again our wish for the Bay edge walkway to be both continuous and wide enough to facilitate enjoyable and safe access for the public to the water's edge. We have set out in previous correspondence our expectations and the reasons for these. Members thank officers for reiterating that it is their aspiration to provide a continuous walkway of sufficient width but that the width will depend on market conditions and site viabilities.
- iii. Members note that reports on Outline Business Cases for the Closed Loop Circuit and the relocation of Motocross will be taken to Cabinet in future months.

Cardiff Bay Regeneration – March 2022³

- i. Members are delighted that it has been possible to ensure public access around the water's edge and note the officer's assurance that this would be 15-20 metres at its narrowest. This is crucial to ensuring that residents and visitors to Cardiff Bay benefit fully and enjoy its waterfront.
- ii. Members wish to highlight the need to ensure that free facilities are promoted in Cardiff Bay, for walking, running, cycling, and swimming. Whilst we need the employment and economic benefits that flow from events and adventure tourism, we must ensure that residents and visitors are not 'priced out' of enjoying Cardiff Bay for recreational use.

ISV – January 2023

¹ Public Letter to Cllr Goodway, dated 14 July 2021, re Velodrome

² Public Letter to Cllr Goodway, dated 22 September 2021, re ISV

³ Public Letter to Cllr Goodway, dated 10 March 2022, re Cardiff Bay Regeneration Update

- i. Members welcome the proposed disposals strategy for residential and commercial plots
- ii. Members welcome the proposed focus on green energy for the ISV site.

Way Forward

24. Councillor Russell Goodway (Cabinet Member – Investment and Development) will be invited to make a statement. Neil Hanratty (Director of Economic Development), Chris Barnett (Operational Manager – Major Projects), and Jo-Anne Phillips (Project Manager) will attend to give a presentation and all witnesses will be available to answer Members' questions.

25. All Members are reminded of the need to maintain confidentiality regarding the information provided in **Appendices 2-5**. Members will be invited to agree the meeting go into closed session to enable discussion of this information.

Legal Implications

26. The Scrutiny Committee is empowered to enquire, consider, review, and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters, there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

27. The Scrutiny Committee is empowered to enquire, consider, review, and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters, there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

RECOMMENDATION

The Committee is recommended to:

- i) Consider the information in this report, its appendices and the information presented at the meeting
- ii) Determine whether they would like to make any comments, observations or recommendations to the Cabinet on this matter in time for its meeting on 13 July 2023, and
- iii) Decide the way forward for any future scrutiny of the issues discussed.

DAVINA FIORE

Director of Governance & Legal Services

05 July 2023

CABINET MEETING:

July 2023

INTERNATIONAL SPORTS VILLAGE DEVELOPMENT

INVESTMENT & DEVELOPMENT (CLLR RUSSELL GOODWAY)

AGENDA ITEM:

PORTFOLIO: INVESTMENT & DEVELOPMENT

Appendices 2-5 of this report are not for publication as they contain exempt information of the description contained in paragraphs 14, 16 and 21 of Schedule 12A of the Local Government Act 1972

Reason for this Report

1. To provide an update on the International Sports Village (ISV) development.
2. To seek authority to progress the disposal strategy for the residential and commercial development plots at ISV.

Background

3. The International Sports Village development is a priority Council project and a core driver of the next phase regeneration of Cardiff Bay. The Council has recently stepped-up its involvement with the site, following years of private sector inactivity, to accelerate completion of a high quality development.
4. In September 2021, Cabinet approved the acquisition of property assets from Greenbank Partnership Ltd which has brought all undeveloped land in the peninsula area under Council control as well as the Ice Arena. The property transaction with Greenbank Partnership Ltd exchanged in March 2022 and completed on 31st December 2022.
5. In March 2022, Cabinet approved a revised masterplan for the ISV site which extended the previously approved plan to include the land being acquired from Greenbank. Approval was granted to undertake a market testing exercise based on the plots of development land set out in the masterplan with the aim of securing a programme of private sector investment to enable a timely completion of the development. In addition, authority was granted to develop a Full Business Case for the leisure attraction to include the Closed Loop Circuit and associated highways alterations and public realm improvements set out in the masterplan to ensure the whole leisure destination can be completed under a single investment plan.

6. In January 2023, Cabinet approved a land disposal strategy and appointed 'in principle' a preferred developer to acquire the land. Authority was delegated to develop detailed heads of terms for the disposal of land subject to final approval by Cabinet. The Outline Business Case for the sport/leisure infrastructure was also approved. As part of this, authority was granted to develop a single comprehensive Full Business Case for the whole leisure destination.
7. At the same meeting, Cabinet approved the appointment of operators following a market testing exercise for the Council owned leisure facilities and proposed facilities. Authority was also granted to progress with the implementation of a Management Organisation (a single management approach) and an associated Booking System subject to final approval by Cabinet. As part of this, the principle of transitioning existing operators from Full Repairing and Insuring (FRI) lease arrangements to Internal Repairing and Insuring (IRI) lease arrangements was agreed including the introduction of an associated service charge regime.

Issues

8. Completing the International Sports Village development to a high standard remains a priority for the Council. However, due to the rise in interest rates over recent months and the projected risk of further growth the business case for investment is becoming challenging. The ISV development is required to be brought forward on a self-financing commercial basis where the Council recovers all of its recent investment in land acquisition. The Council's strategy is to use the surplus value of land in its ownership to fund the completion of the sport/leisure attraction.
9. To that end the Council has identified a purchaser who intends to bring forward successive phases of development to deliver a high quality, vibrant local neighbourhood. **Appendix 1** sets out the area and plots associated with the disposal strategy.

Residential & Commercial Development

10. As part of the Disposal Strategy approved in January 2023, the Council has further negotiated the legal arrangements for an Option Agreement with the appointed developer for the disposal of the residential and commercial plots at the ISV. The draft agreement and legal commentary are set out at **Confidential Appendix 2**.
11. The disposal strategy provides the Council with a level of control through the retention of land ownership throughout the phases of development rather than disposing of the whole site in one tranche, avoiding the possibility of land-banking. It also seeks to avoid periods of inactivity by requiring the developer to call-down plots against a defined programme. The programme has a long stop date of 60 months from the signing of the agreement. The developer will be required to draw down all plots within this 60 months period. In the first 12 months, the developer is required to secure outline planning permission for the whole area covered by the Option Agreement, and detailed planning

permission for Plot 1. Once detailed planning permission is secured for Plot 1, the developer has 3 months to draw down the site.

12. **Confidential Appendix 3** sets out advice from independent surveyors on the overall marketing exercise and the legal negotiations for entering into the proposed agreement.
13. The Council has agreed to dispose of land right up to the water's edge as illustrated by the Disposal Plan at **Appendix 1**. This is to enable the developer to deliver a coherent public realm scheme along the water's edge that provides access for the public to Cardiff Bay water's edge and continues the pedestrian route around the Bay. There is an 8m reservation along the water's edge relating to the revetment wall tie backs. This means no development can take place in this area. The Council has placed an obligation on the developer to remove the existing cantilevered boardwalk and to deliver a boulevard along the water's edge within the 8m reservation.
14. The Council retains an obligation to lift and shift circa 800 spaces of car parking provision relating to the International Pool and Ice Arena as set out in the legal report attached at **Confidential Appendix 2**.
15. The current car parking arrangements to manage events at the ISV includes the Toys R Us, International Pool and Ice Arena provision of circa 800 spaces plus the Willcox House car park, which provides an additional circa 300 spaces.
16. The Willcox House car park will no longer be in the Council's control from April 2024 as the Council has agreed to relinquish the lease. There may be potential to negotiate continued use with the owner, however there is no certainty at this point and therefore the event provision may reduce to 800 spaces.
17. **Confidential Appendix 4** presents a number of affordable options to meet the Council's lift & shift obligations. Interim arrangements can be accommodated on the Toys R Us/ Retail 3 site in advance of a final decision on the long term parking strategy. This includes the potential relocation of the current International Pool car park if required to enable the development of the first residential/commercial plot. However, it is the Council's intention to secure a Cabinet decision to progress the long-term parking strategy in advance of the first plot being called-down to avoid the potential of abortive costs. This business case will include the ambition to deliver a Park & Ride solution at the ISV as part of the parking solution to improve sustainable access to key city destinations such as the city centre and Cardiff Bay, including the new Indoor Arena, subject to the required revenue funding being identified.

Cardiff Bay Yacht Club

18. The Council has been in discussions with the Cardiff Bay Yacht Club to improve their integration with the development. This includes the realignment of the access road to their site and a proposed new boundary alignment to improve the interface with the proposed new housing development. Discussions have also taken place to integrate the facilities and sporting opportunities of the yacht club into the wider ISV leisure attraction.

19. The proposed realignment of the yacht club boundary will also facilitate a new small boatyard to enable Cardiff Cruise to provide a regular water taxi service linking the ISV site with Mermaid Quay. The proposed new boatyard will enable Cardiff Cruise to service their boats in Cardiff rather than having to service in Bristol.
20. **Confidential Appendix 5** illustrates the proposals with Cardiff Bay Yacht Club and the legal agreements will be agreed as part of the conclusion of the ISV residential and commercial disposal strategy.

ISV Leisure Destination

21. The Council's ambition remains to complete the leisure attraction to support establishing Cardiff Bay as a premier UK leisure destination. The ISV site already benefits from facilities that compare with the best in the UK including the International White-Water Rafting Centre, the Flow-rider, High Ropes, the Ice Arena Wales, the International Pool, and a new Clip and Climb/soft play attraction (to be opened this year) providing a new destination for younger visitors.
22. Due to the current financial challenges relating to rising interest rates and construction inflation the business case for investment in the leisure attraction has not been concluded. Presentation of the Full Business Case is therefore delayed whilst the Council continues to review the proposals to ensure they are affordable. It is however intended that a report will be presented to Cabinet before Christmas detailing how the Council intends to complete and fund the leisure destination.

Transport Hub

23. The Cabinet Report of January 2023 reported the initial outcome of engagement and due diligence regarding the car parking strategy for the ISV site. This included an indicative proposal on a charging strategy, whilst recognising the need to further consider the concessionary needs of different groups. The final car parking solution will need to be based on improved public transport services to ensure the offer matches the Council's aspiration to deliver a Park and Ride solution as part of a 'Transport Hub'. Work continues to develop this strategy based on the following considerations:
 - **Bus** - optimising current bus services to provide more direct links to the City Centre and Mermaid Quay. Whilst there are already good services with several bus routes passing through the ISV, the Council is nonetheless considering the possibility of improving the bus links to provide rapid connections from the ISV to the city centre and the wider Cardiff Bay area.
 - **Train** - Coogan Spur Train Station is a 5-10-minute walk to the ISV. However, the Council acknowledges that part of the journey requires the crossing of a busy road junction. The Council is considering options to improve the crossing via engagement with Welsh Government and TFW.

- **Water Taxi** - the Council has progressed discussions with Cardiff Cruise to provide a water taxi shuttle service between the ISV and Mermaid Quay. The intention is to operate 07.30 am - 20.00 pm, Monday-Friday and 08.00 am - 18.00pm Saturday/Sunday.
- **Pedestrians/Cyclists** – the Council is reviewing the pedestrian and cycling routes to and from the ISV connecting to the city centre, the wider Bay area and Penarth, including improvements to the waterfront boardwalk as part of the residential/commercial development.

Energy Strategy

24. In January 2023, Cabinet approved the development of an Outline Business Case for an Energy Strategy for the ISV site. The delivery of a site wide Energy Strategy is essential to protect the long-term sustainability of the existing sport/leisure infrastructure given the volatility of energy prices and the Council's commitment to reducing the Carbon footprint of its estate.
25. The Council has engaged with Welsh Government to apply for funding to support the delivery of the energy infrastructure required at the ISV site. The Welsh Government has received the proposals positively to date.
26. To enable an investment by Welsh Government the strategy is being divided into 2 phases, with Phase 1 to include:
 - A low carbon heat exchange system linking the International Pool with the Ice Arena to utilise heat created in the creation of ice to heat the swimming pools. The heat exchange then has the potential to be extended to be linked to the development proposals for the wider site as a Phase 2.
 - The installation of solar PV on the existing facilities including the Ice Arena, the International Pool, the Toys R Us building and the International White Water facility.
27. The next step is for the Council to develop a business case for investment. This will require a soft-market engagement to consider a number of delivery and operation models with varying degrees of risk and reward for the Council as follows:
 - a. The Council delivers and operates new energy facilities and infrastructure. (Asset remains with the Council).
 - b. The Council or an operating partner deliver, and the operating partner operates either by way of a lease or management agreement (Asset remains with the Council). At this stage this is the preferred option, subject to the response from the market and a review of risks and benefits.

- c. The Council leases (on a term of 25-50 years) the site to a third party developer/operator for the delivery of energy at no cost to the Council. (The freehold of the site is retained by the Council).

Next Steps

28. The Council aims to complete an agreement with the approved developer during the summer to enable the developer to begin work on a planning application. This report seeks delegated authority to conclude negotiations based on the draft legal document attached at **Confidential Appendix 2**.
29. The long term strategy for car parking on the site needs to be confirmed to enable the Council to implement a lift and shift strategy to unlock sites for development. It is intended to present a Full Business Case back to Cabinet before Christmas.
30. Work will continue on the development of a Full Business Case for the sport/leisure infrastructure that is affordable. The strategy will need to reduce reliance on borrowing, to avoid uncertainties relating to interest rate volatility and instead maximise value through the disposal of land and assets to raise capital.
31. Work is progressing on the Outline Business Case for the Energy Strategy which will be presented back to Cabinet before Christmas. The OBC will include a proposal for early investment to deliver the Phase 1 infrastructure set out in this report to enable the Council to take advantage of Welsh Government funding.
32. Following approval of the Outline Business Case the Council will develop a Full Business Case for the Energy Strategy to be presented back to Cabinet in early 2024.

Reasons for Recommendation

33. To update Cabinet on the various workstreams to deliver the Council's vision for the International Sports Village.

Financial Implications

34. This report seeks approval of the proposed Disposal Strategy for the delivery of the residential and commercial plots as set out in **Appendix 1**. The delivery and timing of land disposals at anticipated values is an important facet of successful masterplan delivery, with the capital receipts associated with these land disposals required to fund the delivery of other facilities within the approved International Sports Village (ISV) masterplan. Approving and implementing this disposal strategy in a timely manner whilst realising anticipated capital values will bring increased funding certainty to the wider project, helping to manage cashflows and unlocking funding for the wider site development proposals.
35. Prior to any decision making in this regard, consideration should be given to the legal advice as detailed at **Confidential Appendix 2** and the surveyors

report at **Confidential Appendix 3** to ensure that the proposal provides sufficient protection for the Council's position, is generating best value for the proposed disposals and can also deliver a comprehensive infrastructure and remediation strategy at the ISV wider site.

36. If the Developer is successful in securing a planning permission and enters into the proposed option agreement with the Council for the delivery of the residential and commercial plots within the ISV, this will help to provide further certainty regarding the delivery of the projects and assist with the robustness of the Full Business Case to be presented to Cabinet in due course. Any delays in implementing disposal strategy will mean the Council continue to incur holding costs for the site, whilst any reductions in anticipated capital receipts will reduce the level of funds available to invest in developing the wider ISV site.
37. Cabinet is asked to note the lift and shift obligation as set out in **Confidential Appendix 2** and approve the development of a Full Business Case to determine a long-term car parking solution for the ISV site to be presented back to Cabinet for approval in advance of the first call-down of land by the appointed developer. **Confidential Appendix 4** sets out a number of potential options to meet the Council's lift and shift obligations and it will be important that a clear strategy is developed early to ensure suitable and affordable provisions are made, with minimal re-works requirements to avoid any potential abortive costs.
38. **Confidential Appendix 5** sets out the proposals with Cardiff Bay Yacht Club linked to improvements to integration and interface with the ISV. It is proposed that the related legal agreements be finalised as part of the conclusion of the ISV residential and commercial disposal strategy.
39. There remains uncertainty around the anticipated costs and funding sources for the Sporting Infrastructure and leisure destination plans with further detailed due diligence required to solidify cost and revenue projections. It is planned that a Full Business Case is developed and presented to Cabinet later into the year and before locking into any further contractual arrangements.
40. The costs associated with development of business cases and soft market testing exercises detailed within this report will need to be identified by the directorate, along with suitable funding sources, prior to progressing with these pieces of work. These individual scheme proposals will be brought back to Cabinet for further consideration in due course, when more detailed financial implications will be provided. As and when these detailed proposals are brought forward, clear funding strategies will need to be identified to implement these proposals.

Legal Implications

41. The Option Agreement to be entered into with the preferred purchaser in relation to the residential and commercial plots within the Sports Village has been structured so that the transaction constitutes a land arrangement which falls outside the Public Contracts Regulations 2015 and the Concession Contracts Regulations 2016.

Section 123 of the Local Government Act 1972 enables the Council to dispose of land "in any manner they wish", provided that best consideration is obtained, for any interest for a term exceeding 7 years (or an assignment which still has more than 7 years to run). Disposals of land for more than 7 years for less than best consideration require the consent of the Secretary of State. The Council intends to grant leases for terms of 250 years pursuant to the Option Agreement so it has instructed an independent surveyor to assess whether the offer it has been presented with represents the best consideration reasonably obtainable and their advice is at **Confidential Appendix 3**.

42. Section 120 of the Local Government Act 1972 enables the Council to acquire land for either (a) the benefit, improvement or development of its area or (b) for any of its functions under any enactment. The land swap with Cardiff Bay Yacht Club will be on a freehold basis.
43. Section 12 of the Local Government Act 2003 enables the Council to invest (a) for any purpose relevant to its functions under any enactment or (b) for the purposes of the prudent management of its financial affairs.
44. The Cabinet needs to take account of the Council's fiduciary duties to the local residents and taxpayers. As such, proper consideration needs to be given to the risks, rewards and potential future liabilities of the proposals which are the subject of this report. The issue concerns whether the potential risks and liabilities described in the report and in the associated appendices are proportionate to securing the stated economic development objectives and thereby in the best interests of the local taxpayers and residents. Any viable alternatives for delivering the economic development objectives should be considered.
45. The Cabinet must also make its decision having due regard to the Council's public sector equality duties pursuant to the Equality Act 2010 (including specific Welsh public sector duties). This requires the Council, in the exercise of its functions, to have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. The protected characteristics are: age, gender reassignment, sex, race - including ethnic or national origin, colour or nationality, disability, pregnancy and maternity, marriage and civil partnership, sexual orientation, religion or belief – including lack of belief. If the recommendations in this report are accepted and when any alternative options are considered, the Council will have to consider further the equalities implication and the Equality Impact Assessment may need to be updated.
46. Equalities impact assessments will be undertaken as necessary as the development, and the proposals described within this report, are developed.
47. The Well-Being of Future Generations (Wales) Act 2015 ("the Act") places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales – a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.

48. In discharging its duties under the Act, the Council has set and published well-being objectives designed to maximise its contribution to achieving the national well-being goals. The well-being objectives are set out in Cardiff's Corporate Plan 2022-25.
49. The well-being duty also requires the Council to act in accordance with the 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without comprising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:
- a. Look to the long term;
 - b. Focus on prevention by understanding the root causes of problems;
 - c. Deliver an integrates approach to achieving the 7 national well-being goals;
 - d. Work in collaboration with others to find shared sustainable solutions; and
 - e. Involve people from all sections of the community in the decisions which affect them.
50. The Cabinet must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link below:
- <http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>
51. The Council has to be mindful of the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards when making any policy decisions and consider the impact upon the Welsh language.

Property Implications

52. The existing site management currently sits with the Strategic Estates Department as well as colleagues in major projects and management of the vacant land continues to be a challenge. The proposals to resurrect development and activity on site is welcomed.
53. Paragraphs 36-40 outline the intention to form a site wide Management Organisation. Strategic Estates have worked closely with the group to formulate the anticipated format for the management of the services to be provided and the estimated service charge schedule. This work is ongoing but is currently provided as estimates for Heads of Terms issued to date.
54. The marketing of the waterfront site/peninsula was launched in the autumn of 2022. Early in the new year, we had the opportunity to interview the bidders and seek further detail from them on the bids they had submitted which was facilitated by the appointed external agents. With their guidance, a preferred developer was recommended and Heads of terms have been prepared and

full details are within the Surveyor's report on the marketing exercise outlined in **Confidential Appendix 3**.

55. Together with the external lawyers, the Option Agreement has been drafted with a view to bringing forward in a timely manner, successive phases of development to deliver a scheme to complement the Leisure area and existing residential development. The Option document has been carefully written to manage the development on a plot-by-plot basis, with a view to de risk the Council's initial stake in the acquisition of the Sports Village and ensure a return whilst bringing forward a comprehensive mixed-use scheme which has been lacking for over 15 years.
56. As part of the legal process, there are some title issues to resolve around the boundaries of the waterfront site and this is currently with legal.
57. The next steps for Strategic Estate is to ensure the Option document is concluded and signed and the the title issues are addressed.

Human Resources Implications

58. There are no HR implications directly arising from this report.

RECOMMENDATIONS

Cabinet is recommended to:

- 1) Approve the disposal for the residential and commercial plots as set out in this report and the legal report attached at **Confidential Appendix 2** and in line with independent valuers advice attached at **Confidential Appendix 3** and the proposals at **Confidential Appendix 5** and to delegate authority to the Director of Economic Development in consultation with the Cabinet Member for Investment and Development, the Section 151 Officer and the Legal Officer to conclude all legal agreements to complete the disposal strategy.
- 2) Note the lift and shift obligation set-out at **Confidential Appendix 2** and approve the development of a Full Business Case to determine a long-term car parking solution for the ISV site to be presented back to Cabinet for approval in advance of the first call-down of land by the appointed developer.
- 3) Authorise a soft market testing exercise to inform the further development of the Outline Business Case for the Energy Strategy to be presented back to a future meeting of Cabinet.

| | |
|-----------------------------------|---|
| SENIOR RESPONSIBLE OFFICER | Neil Hanratty Director of Economic Development |
| | Date |

The following appendices are attached:

Appendices

Appendix 1 - Disposal Plan

Confidential Appendix 2 - Legal Summary & Agreement

Confidential Appendix 3 - Surveyors Report

Confidential Appendix 4 - Lift & Shift Option Review (Car Parking)

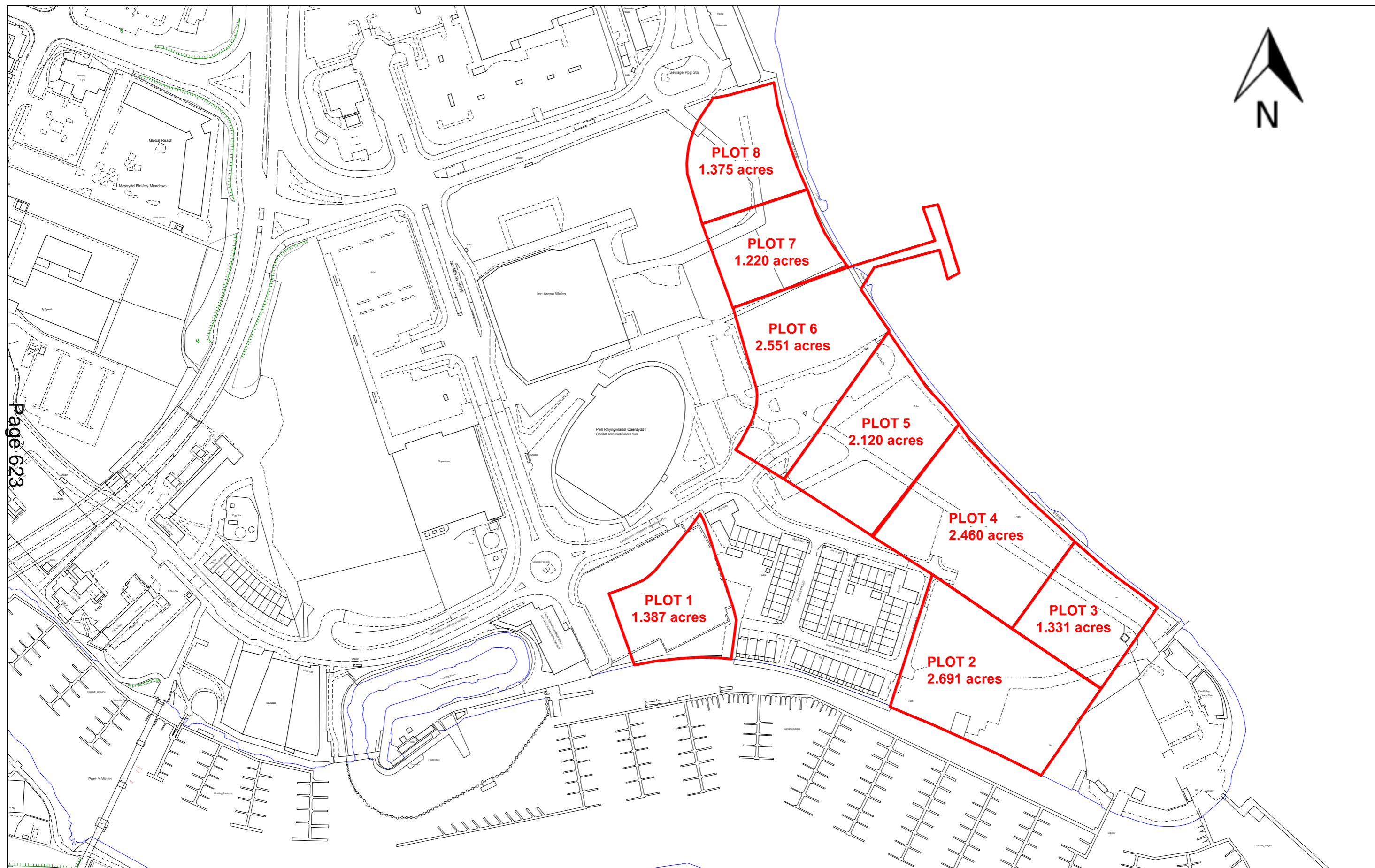
Confidential Appendix 5 - Yacht Club & Boat Yard Revised Boundary Plan

Appendix 6 - Single Impact Assessment

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Residential / Commercial Development Outline Application



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Adolygiadau / Revisions:

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 Cyfarwyddwr / Director : Neil Hanratty

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Single Impact Assessment

Cardiff Council



1. Details of the Proposal

What is the proposal?

Title: Cardiff International Sports Village

Is this a new proposal or are you amending an existing policy, strategy, project, procedure or service?

New

Existing

Directorate/Service Area:

Economic Development- Major Projects

Who is developing the proposal?

Name: Jo Phillips

Job Title: Project Manager

Responsible Lead Officer (Director or Assistant Director):

Neil Hanratty

Cabinet Portfolio:

Economy and Culture

| Authorisation | |
|---------------|--|
| Completed By: | |
| Job Title: | |
| Date: | |
| Approved By: | |
| Job Title: | |

Document History – do not edit

The Single Impact Assessment (SIA) can be strengthened as time progresses, helping shape the proposal. Version control will provide a useful audit trail of how the SIA has developed. Draft versions of the assessment should be retained for completeness, however only the final version will be publicly available. Draft versions may be provided to regulators if appropriate.

| Version | Author | Job Title | Date |
|---------|--------------|---------------------------------|------------|
| 1 | Fiona Gibson | Senior Corporate Policy Officer | 12/10/2022 |
| 2 | Fiona Gibson | Senior Corporate Policy Officer | 12/04/2023 |
| | | | |
| | | | |

2. Overview of the Proposal

What action is the Council considering and why?

Please provide a detailed outline of the proposal. This information will support your findings in the impact assessments.

The Capital Ambition sets out a commitment to “Write a new chapter in the regeneration of Cardiff Bay”, which this project aims to contribute towards. This project involves the return of the International Sports Village site to Council control and in doing so facilitate the regeneration of the Sports Village and contribute to the general regeneration programme for the Waterfront. This project aims to facilitate the development of a mixed-use sport and leisure site and aims to provide economic, social, and wellbeing benefits, as well as commercial, leisure, and retail opportunities.

Since the original impact assessment that was carried out in April 2020, the scope of the project has expanded and now includes the following work streams:

- The new Velodrome
- Urban Bike Park
- Closed Road Circuit (Loop)
- All associated public space
- Highways infrastructure
- Car Park

There is also a link to the wider site development, which includes:

- The disposal and development of the land on the Waterfront and Ely Riverfront sites
- The revised boundary to the Cardiff Bay Yacht Club and the new proposed adjoining Boat Yard.

To truly assess and manage the impact of all of these workstreams, they need to be considered as a whole. This is because all the accessibility and inclusivity requirements are linked and there is potential, if considered in isolation, that a conflict in design may have additional, unnecessary impacts. (for example, considering access to the new velodrome building without considering the public space will result in 2 very different outcomes). So it is agreed that there will be one impact assessment record for all workstreams within the ISV project.

Further to the update in November 2022, Cabinet have approved the outline business case for the sport and leisure infrastructure and the disposal strategy has progressed. Therefore, this update takes into account any further impacts associated with the progress of the whole project.

What are the costs and/or savings?

What will the proposal cost and how will it be funded?

How might costs be reduced through involvement and collaboration, across Cardiff Council and/or with external stakeholders?

Are there savings and how will these be realised?

3. Impact Assessments

Which impact assessments do you need to complete to support your proposal?

Further information is included about each assessment at the start of the relevant section.

The [Impact Assessment Screening Tool](#) provides advice tailored to your proposed policy, strategy or project regarding which impact assessments may be required and who to contact to find out more.

The screening tool is an online form with mainly multiple-choice questions which should take less than 10 minutes to complete.

Once the answers have been submitted, an automated email will be sent to you with the recommended next steps and details of who to contact for expert advice.

Put Yes or No next to each of the impact assessments listed below to indicate which ones are being carried out. For assessments which are not being carried out, please delete the relevant sections on the subsequent pages.

| Impact Assessment | Completed: Y/N |
|---------------------------------------|----------------|
| A. Equality Impact Assessment | Y |
| B. Child Rights Impact Assessment | N |
| C. Welsh Language Impact Assessment | N |
| D. Habitats Regulations Assessment | N |
| E. Strategic Environmental Assessment | N |
| F. Data Protection Impact Assessment | N |
| G. Health Impact Assessment | N |

For further information on all the above impact assessments including who to contact for advice, please visit the [Policy Portal](#).

A: Equality Impact Assessment

Guidance in completing this assessment can be accessed [here](#). Please consult the Equality Team for any further assistance with completing this assessment EqualityTeam@cardiff.gov.uk

Under the Equality Act 2010, “differential impact” means that people of a particular protected characteristic (e.g. people of a particular age) will be significantly more affected by the change than other groups.

Impact on the Protected Characteristics

Age

Will this proposal have a **differential impact [positive/negative]** on different age groups?

| | Yes | No | N/A |
|----------------|-----|----|-----|
| Up to 18 years | X | | |
| 18 - 65 years | X | | |
| Over 65 years | X | | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The regeneration of the International Sports Village will have a positive impact on all Cardiff residents and on residents of and visitors to the area, regardless of age.

The regeneration aims to provide a place where people can visit to engage in a range of sport and leisure activities or to engage in informal and social activity irrespective of their age. The facilities at ISV are required to provide inclusive and engaging programmes that are accessible to all ages, and the environment will be designed to encourage all ages to want to and be able to spend time there.

Due to the new development in the sports village and in the development of the neighbouring community, there will be increased employment opportunities, greater access to activities provided by the International Sports Village, as well as greater leisure and retail opportunities.

The regeneration has the potential for a positive impact on people of working age (18-65) due to business development and associated employment and work experience opportunities, as well as providing an improved environment for social interaction and active leisure.

The Sports facilities are required to promote programmes of activity for all ages and engage with education in support of the active development of young people.

The facilities also engage with sports clubs and groups, enabling them to deliver access to their sports to their young members and encourage more young people to get involved so that the sports can grow. This has an additional positive impact on social interaction, inclusivity, and mental health.

The same can also be said for people over the age of 65, the Sports Village provides a social inclusivity that ensures people can stay active and engaged with the community after retirement. The wider environment is planned to be conducive to social and active leisure for all ages.

Transport Accessibility

In terms of accessibility for all ages, the site already has reasonably good transport links, which means that people are able to travel to the ISV via car for those who are of driving age and who will transport younger people via car, bus or train. There are already 6 bus routes that reach the site and Cogan Spur train station is only 400m from the site for those who choose to travel via public transport. The project scope will ensure that these public transport links are at least retained, but also enhanced to ensure those who do not drive have accessible options to travel to the site.

In addition, the project aims to introduce an additional water taxi stop at the site, which will be suitable for all ages.

What action(s) can you take to address the differential impact?

The Council, working with all respective partners and stakeholders will ensure that when considering the development of the ISV, the requirements of people of all ages are taken into consideration ensure that accessibility and inclusivity is a focus of all stages of the project- this includes the accessibility of the transport links that are already servicing the area

Disability

Will this proposal have a **differential impact [positive]** on disabled people?

| | Yes | No | N/A |
|---|-----|----|-----|
| Hearing Impairment | X | | |
| Learning Disability | X | | |
| Long-Standing Illness or Health Condition | X | | |
| Mental Health | X | | |
| Neurodiversity | X | | |
| Physical Impairment | X | | |
| Substance Misuse | X | | |
| Visual Impairment | X | | |
| Other | x | | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The regeneration of the International Sports Village site will have a positive impact on all Cardiff residents and visitors to the area, including disabled people. The project has the potential to provide state of the art facilities and provide activities and a physical, social environment which are accessible and inclusive to all. The project will need to consider accessibility and way-finding as a key part of the design process to ensure those with physical, visual, hearing and learning impairments are able to navigate around the facility.

Regarding mental health, it is acknowledged that for some, having a place to go and be with people and take part in activity can help with mental health. The project aims to provide an environment at the ISV that offers everyone a comfortable and pleasant place to be, with opportunities to take part in sport and active leisure as well as social activities. Following the pandemic, many people are using outdoor space differently and so the project aims to help facilitate this.

Transport accessibility

It is important that disabled people are also able to travel to the ISV. Where this project is not responsible for the accessibility of public transport, it is committed to ensure that where transport modes link to the site, that there is a straightforward and safe link from the car park and bus stops that disabled people can easily navigate into the Sports Village and all its facilities.

What action(s) can you take to address the differential impact?

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Gender Reassignment

Will this proposal have a **differential impact [positive/negative]** on transgender people?

| | Yes | No | N/A |
|--|-----|----|-----|
| Transgender People (Transgender people are people whose gender identity or gender expression is different from the gender they were assigned at birth.) | | x | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The regeneration of the International Sports Village will have a positive impact on all Cardiff residents and visitors to the area, regardless of Gender Reassignment.

What action(s) can you take to address the differential impact?

In line with the Council’s Stonewall submission, any plans to develop new buildings or facilities will incorporate the need for gender neutral welfare.

Marriage and Civil Partnership

Will this proposal have a **differential impact [positive/negative]** on marriage and civil partnership?

| | Yes | No | N/A |
|-------------------|-----|----|-----|
| Marriage | | X | |
| Civil Partnership | | X | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

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The regeneration of the International Sports Village will have a positive impact on all Cardiff residents and visitors to the area, regardless of marital or partnership status. It is not expected that this project will have a differential impact on people whether they are or are not in a marriage or civil partnership.

What action(s) can you take to address the differential impact?

No action necessary

Pregnancy and Maternity

Will this proposal have a **differential impact [positive/negative]** on pregnancy and maternity?

| | Yes | No | N/A |
|-----------|-----|----|-----|
| Pregnancy | | X | |
| Maternity | | x | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The regeneration of the International Sports Village will have a positive impact on all Cardiff residents and visitors to the area. It is not expected that this project will have a differential impact on pregnancy or maternity.

Consideration will always be given in the designing and planning of all facilities to ensure suitable welfare facilities are included that may be beneficial to everyone, including the potential addition needs of those who are pregnant or nursing/caring for young babies and children.

What action(s) can you take to address the differential impact?

No action identified to date.

Race

Will this proposal have a **differential impact [positive]** on the following groups?

| | Yes | No | N/A |
|---|-----|----|-----|
| White | X | | |
| Mixed / Multiple Ethnic Groups | X | | |
| Asian / Asian British | X | | |
| Black / African / Caribbean / Black British | X | | |
| Other Ethnic Groups | X | | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The regeneration of the International Sports Village will have a positive impact on all Cardiff residents and visitors to the area, regardless of race as it is designed to be a destination for all. It will also present improved opportunities

for social inclusion, sport and active leisure and employment for all communities in the area as well as visitors to the area.

However, according to the 2011 census, the area in which the International Sports Village sits has a higher than average number of BAME* residents (38.1%), compared to the overall Cardiff population (15.3%) and so this project has the potential to impact these groups a bit more.

The process of regeneration may be disruptive due to, for example, building works, however, the Sports Village area itself is not currently highly residential and so the impact is likely to be low. The overall objectives of this project will have a positive impact on all Cardiff residents through improving the economy, providing greater employment opportunities, and making the area a more appealing place to live.

***BAME Breakdown**

| | Local Area % | Cardiff Overall % |
|---------------------------------------|---------------------|--------------------------|
| Mixed/Multiple Ethnic Groups | 4.5 | 2.9 |
| Black/African/Caribbean/Black British | 8.5 | 2.4 |
| Asian/Asian British | 20.9 | 8.0 |
| Other | 4.2 | 2.0 |
| | | |

The 2021 census shows that the local area is represented by a majority Asian and White British population, with the remainder of those residing represent Black and Mixed Ethnicity.

What action(s) can you take to address the differential impact?

The Council and relevant partners will ensure communication with local communities is maintained throughout the process, engaging with existing residents to gain an insight into local needs and ensure they are considered in the planning and design and in the programme of delivery.

Religion, Belief or Non-Belief

Will this proposal have a **differential impact [positive]** on people with different religions, beliefs or non-beliefs?

| | Yes | No | N/A |
|--------------|------------|-----------|------------|
| Buddhist | | | |
| Christian | | | |
| Hindu | x | | |
| Humanist | | | |
| Jewish | | | |
| Muslim | x | | |
| Sikh | | | |
| Other belief | | | |
| No belief | | | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The regeneration of the International Sports Village will have a positive impact on all Cardiff residents and visitors to the area. According to the 2011 census, the area in which the International Sports Village sits has a higher than average number of Hindu (4.1%) and Muslim (23%) residents, compared to the overall Cardiff average (1.4% and 6.8% respectively) and so this project will likely have a differential impact on these groups. The 2021 census also shows that the majority of the local population represents either Hindu, Christian, Muslim or no religion.

The regeneration project may be disruptive for a period of time due to, for example, building works, however, the overall objectives of this project will have a positive impact on all Cardiff residents through improving the economy, providing greater employment opportunities, and making the area a more appealing place to live.

What action(s) can you take to address the differential impact?

The Council and relevant partners will ensure communication with local communities is maintained throughout the process, engaging with existing residents to gain an insight into local needs and ensure they are considered in the planning and design and in the programme of delivery.

Sex

Will this proposal have a **differential impact [positive]** on male, female or non-binary persons?

| | Yes | No | N/A |
|--------------------|-----|----|-----|
| Male persons | X | | |
| Female persons | X | | |
| Non-binary persons | x | | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The regeneration of the International Sports Village will have a positive impact on all Cardiff residents and visitors to the area. It is not expected that this project will have a differential impact on people on this protected characteristic.

However, feedback from some stakeholders has identified that the Sports Village may provide additional reassurances to females accessing sport, for example, the ability to run on a traffic free, floodlit circuit will help them feel safer than running elsewhere in the evening. This could also be translated into the overall Sports Village as a destination providing a lit, traffic free space for people to go to.

What action(s) can you take to address the differential impact?

Consideration throughout all design processes to be given to the feedback from stakeholders on the overall environment across the Village and the travel connections to and from there.

Sexual Orientation

Will this proposal have a **differential impact [positive/negative]** on people with different sexual orientations?

| | Yes | No | N/A |
|--------------|-----|----|-----|
| Bi | | X | |
| Gay | | X | |
| Lesbian | | X | |
| Heterosexual | | X | |
| Other | | X | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The regeneration of the International Sports Village will have a positive impact on all Cardiff residents and visitors to the area, regardless of sexual orientation. This project is not expected to have a differential impact on any person due to their sexuality.

The overall aim is to provide an environment conducive for all, so it could be translated that members of the LBGTQ community should have a positive experience in and around the Sports Village.

What action(s) can you take to address the differential impact?

Ensure that designs and programmes promote inclusivity and do not tolerate exclusion or discrimination and do not discourage any specific community groups from the ISV.

Socio-economic Duty

Is the change anticipated to reduce or contribute to inequality of outcome as a result of socio-economic disadvantage? (e.g. will the change negatively impact on those on low-incomes or those living in deprived areas?)

| | Yes | No | N/A |
|-----------------------|-----|----|-----|
| Socio-economic impact | x | | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

Socio economic duty requires public bodies to adopt transparent and effective measures to address the inequalities that result from differences in occupation, education, place of residence or social class.

The aim of the ISV project is to deliver an accessible and inclusive destination that provides an enriched environment for everyone to be able to access, irrespective of their social class, education, occupation or where they live.

As with any destination across the City, there are costs associated with travel to and from the site, and these costs may vary depending on the starting point of the journey, how far and the mode of transport being used. Those local to any facility will always benefit from lower transport costs. The project cannot control the cost of using buses and trains, nor can it manage the cost of fuel and using the road. However, the project is committed to ensuring that the car park operating model and the overall operating model of the ISV considers the accessibility of sport and leisure activities and balancing that with an operating model that supports the delivery of sport and leisure at a reasonable cost, whilst assisting operators in the management of maintenance and mitigation of risk. Operators will be required to provide an inclusive programme of activity that is accessible by all socio-economic groups.

Equally, the project is not responsible for the suitability of the cycle pathways across the City, but it is committed to ensuring safe and secure facilities at the ISV for those who choose to travel by bicycle and wish to park at ISV.

The overall masterplan of the ISV includes a range of social, sport and leisure activities, some of which will require an access charge, but there will also be a range of activities that are open and free to use by members of the public.

The development of the sports village will provide employment and volunteer opportunities as well as broaden opportunities for sports to grow participation. The 2019 Welsh index of Multiple Deprivation shows some of the localities to the ISV accommodate some of the most deprived communities in Cardiff.

The Sports Village development will provide opportunities that could have an additional, differential positive impact on these local communities.

What action(s) can you take to address the differential impact?

The project will need to ensure that throughout the operational strategy delivers inclusive and accessible programmes of activities for all socio-economic groups. Also, ensure that there is a reasonable balance of chargeable and free to access activity and the public space is conducive for social and leisure interaction for all.

Welsh Language

Will this proposal have a **differential impact [positive]** on the Welsh language?

| | Yes | No | N/A |
|----------------|-----|----|-----|
| Welsh language | | x | |

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The regeneration of the International Sports Village a positive impact on all Cardiff residents and visitors to the area. It is not expected that this project will

have a differential impact on the Welsh language or Welsh language speakers of any level. (Bilingual signage will make it a welcome environment for Welsh speaking visitors too so positive for the Welsh Language.)

What action(s) can you take to address the differential impact?

Ensure that all facilities comply with the Welsh Language Act and that all visitors to the Sports Village have the choice of accessing services in both Welsh and English.

During the project development, ensure all obligations regarding Welsh Language are met.

Consultation and Engagement

What arrangements have been made to consult/engage with equality/ community organisations, especially those who are representative of those you have identified as being likely to be affected?

Initial consultation and engagement commenced with known stakeholder groups, these groups included representatives of people of different ages and also representative of different social and sporting communities, including from around the ISV area and users of the existing Velodrome at Maindy. It also included representation of people with different sporting abilities and professional NGB organisations across the UK who have an interest in accessible and inclusive sport.

As the project is progressing, the stakeholder representation is reviewed, and additional groups of people are engaged.

There has been some initial communication with the Council’s Equality Team that has increased as the project has progressed. Feedback has been invited and received and actions to date and further engagement will continue as the project workstreams progress.

Summary of Actions (Listed in the sections above)

| | Actions |
|---------------------|--|
| Age | The Council, working with all respective partners and stakeholders will ensure that when considering the development of the ISV, the requirements of people of all ages are taken into consideration ensure that accessibility and inclusivity is a focus of all stages of the project |
| Disability | As each workstream of the project progresses, any design work or programming should consider accessibility for people with impairments or who may face challenges in accessing similar opportunities |
| Gender Reassignment | In line with the Council’s Stonewall submission, any plans to develop new buildings or facilities will |

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| | incorporate the need for gender neutral welfare, providing a choice for those undergoing or having undergone transition |
| Marriage & Civil Partnership | |
| Pregnancy & Maternity | |
| Race | The Council and relevant partners will ensure communication with local communities is maintained throughout the process, engaging with existing residents to gain an insight into local needs and ensure they are considered in the planning and design and in the programme of delivery. |
| Religion/Belief | The Council and relevant partners will ensure communication with local communities is maintained throughout the process, engaging with existing residents to gain an insight into local needs and ensure they are considered in the planning and design and in the programme of delivery. |
| Sex | Consideration throughout all design processes to be given to the feedback from stakeholders on the overall environment across the Village and the travel connections to and from there. This is in relation to positive feedback in relation to female safety. |
| Sexual Orientation | Ensure that designs and programmes promote inclusivity and do not tolerate exclusion or discrimination and do not discourage any specific community groups from the ISV. |
| Socio-economic Impact | The project will need to ensure that throughout the operational strategy delivers inclusive and accessible programmes of activities for all socio-economic groups. Also, ensure that there is a reasonable balance of chargeable and free to access activity and the public space is conducive for social and leisure interaction for all. |
| Welsh Language | Ensure that all facilities comply with the Welsh Language Act and that all visitors to the sports Village have the choice of accessing services in both Welsh and English. During the project development, ensure all obligations regarding Welsh Language are met |
| Generic/ Over-Archiving (applicable to all the above groups) | The Council and its relevant partners must ensure that all workstreams of the project continue to consider any potential impact on any group or groups and take reasonable steps to mitigate and address any such risk to provide an inclusive and accessible destination. Following Cabinet approval of the outline business case in January 2023, and the progression of the |

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| | disposal strategy, this review considers that where the impacts outlined above remain, the continued progress of the project brings forward more certainty of the positive impacts this development opportunity presents. |
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Next Steps

Any recommendations for action that you plan to take as a result of this Equality Impact Assessment (listed in Summary of Actions) should be included as part of your Service Area's Business Plan to be monitored on a regular basis.

Where the Equality Impact Assessment shows negative impacts, you must append the form to the Cabinet or Officer Decision Report.

On completion of this Assessment, please ensure that the whole form is submitted to the Equality Team mailbox so that there is a record of all assessments undertaken in the Council EqualityTeam@cardiff.gov.uk

B: Child Rights Impact Assessment

The aim of a Child Rights Impact Assessment is to put children and young people at the forefront of decision-making. The assessment helps officers to consider how the rights of children and young people may be affected by a proposed policy or project.

Click [here](#) to start a Child Rights Impact Assessment.

You will receive an automated email containing a link to your Child Rights Impact Assessment template and the Child Friendly Cardiff Team will be in contact to support you.

Guidance for Local Government prepared by Unicef is available here:
[Child Rights Impact Assessment - Child Friendly Cities & Communities \(unicef.org.uk\)](https://www.unicef.org.uk/child-rights-impact-assessment-child-friendly-cities-communities)

For further information or assistance in completing the Child Rights Impact Assessment, please contact the Child Friendly Cardiff Team ChildFriendlyCardiff@cardiff.gov.uk

Next Steps

Where it is considered that a Child Rights Impact Assessment is required, you must append the form to the Cabinet or Officer Decision Report.

C: Welsh Language Impact Assessment

Please consult with Bilingual Cardiff for any assistance with completing this assessment
Bilingualcardiff@cardiff.gov.uk

Welsh Language Standards 88-97

Standard 88

Will this proposal have a **differential impact [positive/negative]** on:

| | Yes | No | N/A |
|---|-----|----|-----|
| The opportunities for persons to use the Welsh language? | | | |
| Treating the Welsh language no less favourably than the English language? | | | |

Please give details/ consequences of the differential impact, and provide supporting evidence, if any.

Standard 89

Could this proposal be formulated or re-formulated, so that it would have positive effects, or increased positive effects, on:

The opportunities for persons to use the Welsh language?

Treating the Welsh language no less favourably than the English language?

Standard 90

Could this proposal be formulated or re-formulated to ensure that it does not have adverse effects, or a decreased adverse effect, on:

The opportunities for persons to use the Welsh language?

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Treating the Welsh language no less favourably than the English language?

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Standard 91

When consulting on the proposal, were views considered, and sought, on the effects (both positive and negative) that it would have on:

The opportunities for persons to use the Welsh language?

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Treating the Welsh language no less favourably than the English language?

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Standard 92

Did the consultation seek and give consideration to views on how the proposal could have positive, or increased positive effects, on:

The opportunities for persons to use the Welsh language?

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Treating the Welsh language no less favourably than the English language?

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Standard 93

Did the consultation seek and give consideration to views on how the proposal could have no adverse effects, or decreased adverse effects, on:

| The opportunities for persons to use the Welsh language? |
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| Treating the Welsh language no less favourably than the English language? |
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Standard 94

If the proposal includes the awarding of grants, has consideration been given to the guidance presented in Cardiff Council’s Policy on Awarding Grants in Compliance with the Welsh Language Standards with regard to:

| The opportunities for persons to use the Welsh language? |
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| |

| Treating the Welsh language no less favourably than the English language? |
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Standard 95

If research was undertaken or commissioned to assist with the development of the proposal, did it give consideration to whether it would have a **differential impact [positive/negative]** on:

| The opportunities for persons to use the Welsh language? |
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| Treating the Welsh language no less favourably than the English language? |
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Standard 96

Did the research undertaken or commissioned to assist with the development of the proposal give consideration to how it could have a positive effect, or increased positive effects, on:

| The opportunities for persons to use the Welsh language? |
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| Treating the Welsh language no less favourably than the English language? |
|---|
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Standard 97

Did the research undertaken or commissioned to assist with the development of the proposal give consideration to how it could have no adverse effect, or decreased adverse effects, on:

| The opportunities for persons to use the Welsh language? |
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| |

| Treating the Welsh language no less favourably than the English language? |
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| |

Material and Services

In addition to the impact assessment to ensure that the proposal meets the requirements of the Welsh Language Standards, consideration must also be given to the supporting materials and services that may be required.

These include (please click on the hyperlinks to view detailed information about the requirements under the Welsh Language Standards):

- [Correspondence](#) - receiving and replying (emails, letters, online communication).
- [Telephone](#) – receiving and answering calls.
- [Meetings & Public Events](#) – public meetings or events, group meetings, consultation, individual meetings.
- [Public Messages – electronic – video](#)
- [Signs, Notices & Display Material](#)
- [Publicity & Advertising](#)
- [Producing Public Documents](#) - policies, strategies, annual reports, corporate plans, guidelines, notices, codes of practice, consultation papers, licences, certificates, rules, brochures, leaflets, pamphlets or cards, ticket/vouchers.
- [Producing Forms](#)

- [Reception Services](#)
- [Websites, Apps and Online Services](#)
- [Social Media](#)
- [Self Service Machines](#)
- [Education Training Courses](#)
- [Public Address Announcements](#)

Are all supporting materials and services compliant with the requirements of the Welsh language standards?

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Cardiff Council's Welsh Language Skills Strategy

This strategy may be viewed here and additional guidance documents have been produced to support its implementation:

- [Assessing Welsh Language Skills and Identifying Welsh Essential Roles](#)
- [Recruitment, Selection, and Interview Procedures and the Welsh Language](#)

Do you have access to sufficient Welsh speaking staff to support the delivery of the proposal in compliance with the requirements of the Welsh language standards?

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Next Steps

Where it is considered that a Welsh Language Impact Assessment is required, you must append the form to the Cabinet or Officer Decision Report.

A copy must also be emailed to Bilingual Cardiff Bilingualcardiff@cardiff.gov.uk

D: Habitats Regulations Assessment

| | Yes | No |
|--|--------------------------|-------------------------------------|
| Will the proposal affect a European site designated for its nature conservation interest*, or steer development towards an area that includes a European site, or indirectly affect a European site? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

** Only two European sites designated for nature conservation interest lie within Cardiff's boundaries – the Severn Estuary and Cardiff Beech Woods, but be aware if your project affects an area close to a neighbouring authority.*

If the answer is 'Yes', then a screening exercise may need to be conducted to determine if a Habitats Regulations Assessment is required or not.

Contact the [Biodiversity Team](#) who will guide you through the process.

E: Strategic Environmental Assessment

| | Yes | No |
|---|--------------------------|--------------------------|
| Does the strategy, policy or activity set the framework for future development consent? | <input type="checkbox"/> | <input type="checkbox"/> |

| | Yes | No |
|--|--------------------------|--------------------------|
| Is the strategy, policy or activity likely to have significant environmental effects (positive or negative)? | <input type="checkbox"/> | <input type="checkbox"/> |

If you have answered 'Yes' to both of the above questions, then a full Strategic Environmental Assessment Screening is needed.

Contact the [Sustainable Development Unit](#) who will guide you through the process.

F: Data Protection Impact Assessment

| | Yes | No |
|--|--------------------------|-------------------------------------|
| Will the proposal involve processing information that could be used to identify individuals? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

If the answer is 'Yes', then a Data Protection Impact Assessment may be required.

Click [here](#) to read the guidance and start the Data Protection Impact Assessment process if needed.

For further information, contact the [Data Protection Service](#).

G: Health Impact Assessment

A Health Impact Assessment helps to develop policies and projects that consider the mental, physical and social health and well-being of a population during planning and development. Considering health inequalities and their impacts on local communities is an essential part of any Health Impact Assessment.

Health Impact Assessments will become a statutory requirement for public bodies in specific circumstances in the future. These circumstances have yet to be published by Welsh Government.

For further information and advice, please contact the Wales HIA Support Unit.

Website: [Home - Wales Health Impact Assessment Support Unit \(phwwhocc.co.uk\)](http://phwwhocc.co.uk)

Email: WHIASU.PublicHealthWales@wales.nhs.uk

**CYNGOR CAERDYDD
CARDIFF COUNCIL**

ECONOMY & CULTURE SCRUTINY COMMITTEE

11 JULY 2023

MUSEUM OF CARDIFF INQUIRY - REPORT

Reason for Report

1. To provide Members with the '*Museum of Cardiff*' Inquiry draft report, attached at **Appendix A**, for discussion, amendment, and approval, prior to presentation to the Cabinet for consideration.

Museum of Cardiff Inquiry

2. Following scrutiny of the budgetary proposals 2023/24, several Committee Members suggested scrutinising the best way forward for the Museum of Cardiff.
3. Following initial scoping meetings, Members agreed the following terms of reference:
 - a. *To gather stakeholders' views and learn from their knowledge and experience of council-run and/ or charitable trust museums regarding:*
 - *Funding models*
 - *Income generation*
 - *Governance models*
 - *Community engagement*
 - *Volunteering*
 - *Inclusivity and representativeness*
 - *Partnership working*
 - *Staffing structures.*
 - b. *To explore with stakeholders the main requirements to ensure a sustainable location and future for the Museum of Cardiff, including identifying likely issues associated with relocation and reprovion.*

- c. *To understand the Council's spend on the Museum of Cardiff, the income of the Museum of Cardiff and whether there are any conditions attached to previous funding provision.*
 - d. *To consider to what extent does being the museum of the capital of Wales change its status, if at all, and explore this with relevant local politicians.*
 - e. *To use the information gathered during the Inquiry to make evidence-based recommendations to Cabinet regarding how best to achieve a sustainable future for the Museum of Cardiff.*
4. The Committee agreed the following membership for this task group:
 - Councillor Wong
 - Councillor Henshaw
 - Councillor Shimmin
 - Councillor Thomson.
 5. The task group heard evidence from several internal and external witnesses, including the relevant Cabinet Member, senior officers, Caer Heritage, Cardiff People First, Development Trustees, Federation of Museums and Art Galleries in Wales, Professor Jane Henderson, Museums Association, and Welsh Government.
 6. Members visited the Museum of Cardiff and met with staff and volunteers, listening to their experiences of working in the Museum of Cardiff and views on the future of the Museum
 7. Members wrote to several key stakeholders offering them the opportunity to give their views to the Inquiry. Written responses were received from:
 - Andrew RT Davies MS
 - Heledd Fychan MS
 - Rhys ab Owen MS
 - Julie Morgan MS
 - Cardiff Civic Society
 - Glamorgan Archives
 - Royal Welsh College of Music and Drama.

8. The Inquiry also considered users views via visitor survey responses and school users' feedback, as well as the consultation responses received to the Council's Budgetary Proposals Consultation.
9. To inform the Inquiry, Members were provided with briefing reports ahead of each meeting, including the *Open Up Guidebook*, produced by the Association of Independent Museums. These have been synthesised into the report.
10. The task group used the evidence gathered by the Inquiry to identify suitable key findings and recommendations.
11. Attached at **Appendix A** is the draft report of the task group, which details the key findings and recommendations and summarises the evidence received at task group meetings.

Way Forward

11. During their meeting, Members may wish to discuss and agree any amendments required to the Task Group report '*Museum of Cardiff*', attached at **Appendix A**.

Legal Implications

12. The Scrutiny Committee is empowered to enquire, consider, review, and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters, there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having

regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

13. The Scrutiny Committee is empowered to enquire, consider, review, and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters, there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

RECOMMENDATIONS

The Committee is recommended to consider the '*Museum of Cardiff*' task group report, attached at **Appendix A**, and endorse the report, subject to any amendments the Committee wish to make, for submission to the Cabinet.

Davina Fiore

Director - Governance and Legal Services

11 July 2023



An Inquiry Report of the:
Economy & Culture Scrutiny Committee

MUSEUM OF CARDIFF

July 2023

DRAFT



Cardiff Council

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FOREWORD

To be completed

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Councillor Peter Wong
Chair, Economy & Culture Scrutiny Committee
July 2023

TERMS OF REFERENCE

1. To gather stakeholders' views and learn from their knowledge and experience of council-run and/ or charitable trust museums regarding:
 - a. Funding models
 - b. Income generation
 - c. Governance models
 - d. Community engagement
 - e. Volunteering
 - f. Inclusivity and representativeness
 - g. Partnership working
 - h. Staffing structures.
2. To explore with stakeholders the main requirements to ensure a sustainable location and future for the Museum of Cardiff, including identifying likely issues associated with relocation and reprovision.
3. To understand the Council's spend on the Museum of Cardiff, the income of the Museum of Cardiff and whether there are any conditions attached to previous funding provision.
4. To use the information gathered during the Inquiry to make evidence-based recommendations to Cabinet regarding how best to achieve a sustainable future for the Museum of Cardiff.

CONTEXT FOR INQUIRY

- a. This Inquiry is taking place following the 2023/24 budgetary process, where the Council consulted on a proposal to either take the Museum of Cardiff out of its current location in the Old Library and make it a mobile attraction, delivering savings of £266,000 per year and allowing *'the Council to re-open the museum in a permanent home in the future, if a suitable location was found, and funding secured'* or to keep the Museum open in the Old Library and find the savings elsewhere.
- b. The proposals were strongly opposed by museum and heritage sector bodies, including the Museum Association and the Federation of Museums and Art Galleries of Wales, who worked with local community groups in an advocacy campaign to highlight their concerns.
- c. More than half (57.1%) of respondents to the Council's budget consultation supported the proposal to make the Museum of Cardiff a mobile attraction. However, the advocacy campaign highlighted that moving to a mobile attraction would lead to the Museum of Cardiff losing its accreditation status, meaning that it would lose funding and that existing funding would be clawed back.
- d. Having considered the consultation responses, Cabinet decided not to take forward the mobile attraction proposal, stating it would work with the Development Trustees of the museum to secure a sustainable future, including consideration of options for delivering the service at an alternative location.
- e. A spokesman for the Development Trust of the museum said:

"We will now undertake a detailed examination of the best way to ensure a stable future for the museum.

"This will be conducted by a working party of the authority's officials and trustees with formal terms of reference.

"The working party will review the museum's long-term finances and the possibility of moving to alternative permanent sites."¹

¹ [Cardiff Council U-turns on plans to make Story Museum mobile - BBC News](#)

HEADLINE FINDINGS

- HF1. The current position is not tenable due to the costs of operating from the Old Library, the lack of space for income generation activities, and the increasing pressures on the Council's budgets.
- HF2. There is now a real opportunity to plan for a sustainable future for the Museum of Cardiff, retaining its focus on telling the stories of the people of Cardiff whilst boosting footfall, outreach, inclusivity and representativeness.
- HF3. Any new location must provide security of tenure, income generation opportunities, meet the museum Accreditation Scheme criteria, be supported by existing funders, and enable future funding bids to be made.
- HF4. The Museum of Cardiff is highly regarded, with many stakeholders keen to engage to help shape its future. Involving stakeholders, including those with museum expertise and local communities, in discussions on the way forward would be beneficial.
- HF5. The Council has an opportunity to reposition its relationship with the Museum of Cardiff by raising its profile, realising its potential and linking the Museum into the wider work of the Council, including cultural activities, educational activities, volunteering opportunities, partnership working and wider economic activity such as tourism and events.

KEY FINDINGS

- KF1. Museums that effectively represent their place and communities are of value and have an important place in the ecology of the cultural offer. Welsh Government is developing a Cultural Strategy that includes museums; Cardiff Council needs to ensure its Cultural Strategy also includes museums.

Current Position

- KF2. The Inquiry heard from stakeholders – professionals, visitors and schools – that the Museum of Cardiff is held in high regard for the good work it does; this is reflected in the national awards it has won.
- KF3. Cardiff Council’s annual budget for the Museum of Cardiff is circa £513K per annum, which includes a contribution towards the running costs of the Old Library. In addition, the Council has a separate repairs and maintenance budget for the Old Library; the Royal Welsh College of Music and Drama will take on responsibility for these costs as it has leased the building.
- KF4. The Royal Welsh College of Music and Drama has confirmed the Museum of Cardiff will have a lease for up to 5 year; during this time, it will continue to contribute its share towards the running costs of the Old Library
- KF5. The Museum of Cardiff has been successful in securing grants, via staff and the Development Trust. However, the Museum lacks the capacity to “earn” income via a café/ shop, as was initially conceived in the Phase II plans for the Museum. Added to this, the lack of certainty over the Museum’s future has made fundraising even more difficult than it is anyway.

Footfall

- KF6. The Museum of Cardiff has declining footfall as measured by Spotlight data, and this pre-dates the covid pandemic. However, the Museum does a lot of valuable outreach and development work that is not captured in these figures, including temporary exhibitions held off-site.
- KF7. All of the following have exacerbated the decline in footfall at the Museum:
- a. loss of temporary exhibition space
 - b. exhibitions needing updating
 - c. lack of a café
 - d. lack of space to host events
 - e. staffing reductions

- f. lack of marketing and promotion
- g. lack of signage.

KF8. Whilst footfall is key to success, footfall alone should not be used to measure the value of the Museum; there should be a Social Return on Investment approach, taking into account the partnerships, trust, outreach and development work undertaken and how these have benefited the people and communities of Cardiff.

Governance

KF9. There is a Development Trust that was established to fundraise for the Museum of Cardiff; it does not have any role in the management or operations of the Museum. The Museum of Cardiff does not have a board or advisory group; there are no other trustees assisting the Museum.

KF10. The Charity Commission, Museum Association, Association of Independent Museums, and the museum Accreditation Scheme provide helpful good practice regarding how bodies are constituted and how they should operate to be most effective and ethical.

Community Engagement

KF11. The Museum of Cardiff is seen as the 'go-to' place in Wales for examples of local community engagement, such as work with young people, older people, people with dementia, and refugees.

KF12. There is scope for the Museum of Cardiff to engage more with a wider range of local communities, and use innovative ways to enable this e.g., weekly painting and pottery workshops using items from their collection to inspire the workshop.

KF13. The Museum of Cardiff benefits from its ethical volunteering scheme; Members met some of these volunteers and were struck by their commitment and knowledge and their ability to enrich the visitor experience. Members believe there is scope to build on this.

Inclusivity and Representativeness

KF14. The Museum of Cardiff is one of the least colonial museum in the UK as exhibits all have the explicit permission and narrative of owners.

KF15. There is scope for the Museum to go further by collecting contemporary items, including oral histories, to reflect the huge, vibrant, diverse and exciting history and culture of Cardiff and encourage engagement from a wider range of communities in Cardiff, with objects on display that are relevant to residents across Cardiff. The *Open Up Guidebook* referenced in this Inquiry contains guidance on whose voices are represented and whose stories are shared.

KF16. The exhibitions in the Museum are over ten years old; it is good practice to refresh exhibitions every ten years. There is an opportunity to review exhibitions, their interpretation and display to promote equality and inclusivity, taking a co-curation and host curation approach, as set out in the *Association of Independent Museum's Success Guide – Museum Displays and Interpretation 2022*.

KF17. The Race Equality Task Force findings and the *Open Up Guidebook* referenced in this Inquiry highlight the need to ensure staff, volunteers and trustees reflect the protected characteristics of local communities.

Working towards the Future

KF18. The work towards securing the future of the Museum of Cardiff would benefit from wider stakeholder engagement, including those with museum experience and those with experience of working with the Museum of Cardiff, such as: Museums Association, Federation of Welsh Museums and Art Galleries, Association of Independent Museums, Amgueddfa Cymru, Professor Jane Henderson, Museum Detox, Caer Heritage, Cardiff People First, and other relevant Cardiff community-based organisations.

Key Factors for a Sustainable Future

Vision & Strategy

KF19. The Museum of Cardiff would benefit from a clear vision and strategy that reflect the Administration's Stronger, Fairer, Greener values as well as the Race Equality Task Force findings.

KF20. The Museum of Cardiff would benefit from having some leading goals to guide partnerships, staffing and funding priorities. The Inquiry heard the Museum could focus on being a campaigning museum, a 'People's Palace', a sustainable futures museum, a schools' resource, a must-see visitor attraction, or a combination of these and more.

KF21. It is critical that stakeholders are part of the discussions and conversations about the future focus of the Museum and that the Museum continues to tell the stories of all peoples of Cardiff.

Audience

KF22. The Museum of Cardiff can be both for local audiences and for visitors, as long as there is sufficient resource to meet these differing needs and expectations. It is important to understand the audience for the Museum of Cardiff, as this will help to build and diversify the audience base, assist with resource allocation and assist with funding applications.

KF23. It is important to market and promote the Museum of Cardiff effectively, to sell the success story that it is, and attract new audiences.

Funding

KF24. The Museum of Cardiff would benefit from having a 3-year funding plan, as recommended by the *Welsh Government's Review of Amgueddfa Cymru* by Dr. Thurley. Members recognise that Cardiff Council has a yearly funding cycle but believe that it would be possible to have indicative funding for Year 2 and Year 3.

KF25. It is critical that good relationships are maintained with existing funders of the Museum of Cardiff; the Inquiry heard Development Trustees are staying connected to funders so that they are in a good place to move forward once a new location is found.

KF26. Some witnesses stated that Cardiff being the capital of Wales does give special status to the Museum of Cardiff or that this idea should be further explored.

Fundraising

KF27. This Inquiry has identified a range of opportunities for fundraising, detailed at points 97-99, including:

- a. Trust and Foundations
 - i. Specific to museums and heritage
 - ii. Specific to particular groups
- b. Individual Giving
 - i. Major Donors
 - ii. Supporter groups
 - 1. Membership/Friends
 - 2. Patrons
- c. Gifts in Wills/ Legacy Giving
- d. Donation Boxes & Cashless Donations
- e. Public Funders
- f. Postcode Lottery – organised into separate regional trusts.
- g. Landfill Communities Fund (via Entrust)
- h. AIM
- i. The Architectural Heritage Fund which focuses on acquisition, reuse or redevelopment of buildings which are of historic or architectural important
- j. The NESTA Arts Impact Fund.
- k. Crowdfunding
- l. Public Giving Campaign
- m. Online Giving
 - i. Via tickets – if get Gift Aid
 - ii. Via online giving platform – Charities Aid Foundation, Just Giving, Donor Box
 - iii. Encourage regular giving
 - iv. Crowd funding
- n. Gift Aid

KF28. The Inquiry heard that some small and medium size Cardiff businesses would welcome an opportunity to contribute funding to the Museum and be featured, especially if the Museum is to be in a prominent city centre location.

KF29. Currently, the Museum of Cardiff lacks sufficient cashless donations points. There is an opportunity to increase cashless donations points at key locations across the Museum of Cardiff.

Income Generation

KF30. Income Generation is key to the future sustainability of the Museum of Cardiff, to protect it from the fluctuations and pressures in the Council's budgets.

KF31. This Inquiry has identified a range of opportunities for income generation, detailed at points 100-108, including:

- a. Events – music, gastronomy, theatre, movie nights, annual calendar of events
- b. Café/ Catering - social visits, private and corporate hire, weddings,
- c. Retail – gift shop, pop-up seasonal shop
- d. Filming
- e. Commercial mindset – and targets for staff
- f. Venue hire – corporate away days
- g. Group Visits
- h. Tours
- i. Photo Shoots
- j. Copyright and licensing
- k. Overnight visits
- l. Gala/ black-tie fundraisers
- m. Day Lockers
- n. Donations – improving these
- o. Specific Gallery trails
- p. Online income generation
 - i. Retail sales
 - ii. Charge admission for special events/ Premium online offerings
 - iii. Introduce virtual membership level/ benefits
 - iv. Develop virtual courses/ summer camps

- v. Online 'gala' fundraiser
- vi. Develop 'pay-what-you-want' model
- vii. Artefact adoption
- viii. Visitor donations
- ix. Commercial sponsorship
- x. Web advertising
- xi. Staff Interactions

KF32. There is an opportunity to strengthen marketing and promotion of day lockers, increasing their usage and generating more income.

KF33. Charging for general admissions would not work for the Museum of Cardiff, given that most museums in Cardiff are free entry as visitors would most likely choose to go elsewhere rather than pay.

Location

KF34. Much thought needs to be given to identifying a location that secures the future of the Museum of Cardiff. The Inquiry found that a new location must meet the following criteria:

- a. Have security of tenure
- b. Meet Museum Accreditation Scheme criteria, such as the security of site, areas for learning opportunities, accessibility, and a site where there is good footfall
- c. Be determined by the goals and objectives of the museum
- d. Match the exhibition size, scope and footfall of the current Museum of Cardiff location, to minimise the risk of clawback from funders and to provide opportunities to increase the income-stream of the Museum.

KF35. It is essential the new location for the Museum contains appropriate spaces to deliver museum activities and generate income:

- a. Foyers/ entrance
- b. Permanent Displays spaces

- c. Temporary Exhibition Space – enables the museum to change, stay on trend and reflect Visit Wales themes, and celebrate/ commemorate anniversaries. This increases footfall and diverse audiences.
- d. Office accommodation – better if this is with the museum with most staff on-site.
- e. Visitor Facilities – for school visits and other community groups – wet space, activity rooms, handling rooms etc.
- f. Collection Space – to process new material into the collection
- g. Retail/ Café – this depends on the museum’s location and length of stay – can drive income and increase museum footfall.
- h. Spaces for hire.

KF36. It is vital that a new location enables income generation to reduce the reliance on the current Council subsidy and so boost the sustainability of the Museum.

KF37. Many historic buildings are tremendously difficult to make accessible and to adapt, with historic interiors limiting and restricting the options available when designing the layout of a museum.

Clawback of existing funding

KF38. The views of funders are important when determining location, both in terms of future funding and in terms of potential clawback of existing funding.

KF39. The Inquiry heard that funders have warned there is a significant risk of clawback of existing funding, depending on the suitability of new arrangements.

KF40. Any clawback of existing funding would significantly affect future applications for funding not only for the Museum of Cardiff but for council projects across Cardiff.

KF41. The risk of clawback can be mitigated by ensuring there are clear assurances that the Museum can stay in the preferred new location for a significant period of time and by ensuring there is a process of negotiation with funders.

Staffing

KF42. The Museum of Cardiff has posts that have not been filled for a number of years.

Vacant posts are significantly hindering the Museum of Cardiff achieving its potential; the Museum needs to be properly staffed to achieve its vision, goals and objectives.

Collections

KF43. Welsh Government's Culture Strategy intends to address the need for a strategic approach to digital collections and how these are used to mitigate social exclusion and increase access to museums. Cardiff Council needs to ensure its Culture Strategy also does this.

Interpretation and Displays

KF44. Interpretation and Displays are critical to inclusivity and representativeness and the reputation of a museum. It is imperative that the Museum of Cardiff takes account of the findings of the Race Equality Task Force and the good practice guidance for interpretation and display, such as the *AIM Success Guide* cited in the report, to ensure that its interpretation and displays promote equality and inclusivity, encouraging all communities and visitors to engage with the Museum of Cardiff.

Storage

KF45. Storage provision is a key factor to bear in mind when considering the future plan for the Museum of Cardiff. Glamorgan Archives informed the Inquiry they do not have the capacity to take large items and that, as their requirement for storage increases, they may have to end current arrangements whereby the Museum pays to store some of its collection in the Archives. Members note that, if further storage is required, the Museum would look at other options, including opportunities within the Council estate, that have the right environmental and security conditions.

KF46. Welsh Government has commissioned a Collections Review of Storage across Wales, exploring options around shared storage options. The Museum of Cardiff has been selected to be part of the next phase of this work.

Operating Models

KF47. This Inquiry found several operating models utilised by museums in England and Wales; however, for the Museum of Cardiff the only two that are possible are either to remain as a local authority-run museum or to transfer to a charitable trust.

KF48. There is no appetite for the Museum of Cardiff to stop being a local authority-run museum, as it is considered the disadvantages of doing this greatly outweigh the advantages.

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RECOMMENDATIONS

Having considered the evidence presented to this Inquiry, the Economy & Culture Scrutiny Committee makes the following recommendations to Cabinet:

- R1. Ahead of a decision on a new location, ensure the Museum of Cardiff has a clear vision that reflects the Administration's Stronger, Fairer, Greener values as well as the Race Equality Task Force findings, and that this helps inform location selection.*
- R2. Create a 5–10-year delivery strategy, informed by stakeholder engagement, to implement the vision for the Museum of Cardiff, to be reviewed every 3 years.*
- R3. Ensure the vision and strategy clearly set out the need to enable people to tell their stories rather than have their stories told for them, enabling community-based organisations to be involved in co-curating and host curating.*
- R4. Develop a 3-year indicative funding plan to support delivery of the vision and strategy, incorporating grants, fundraising, income generation as well as Council funding.*
- R5. Explore the potential of Cardiff-based small and medium businesses contributing funding to the Museum.*
- R6. Ensure the Working Party engages with stakeholders, including those with museum expertise, community-based organisations that work with the Museum of Cardiff and other relevant Cardiff community-based organisations.*
- R7. Ensure the Working Party takes on board the findings of this Inquiry with regard to location, most notably those set out in Key Findings 34 – 37 inclusive.*
- R8. Ensure that the selected new location enables the Museum to generate income, without diminishing the effective use of exhibition space.*
- R9. Ensure that the selected new location enables the Museum to have a viable temporary exhibition space, in addition to the main exhibition space, to facilitate special events and encourage repeat visits.*

- R10. Give a clear commitment to honour the new location's agreed footprint for the Museum of Cardiff.*
- R11. Strengthen the overall marketing and promotion of the Museum, utilising all available Council communication channels.*
- R12. Review the Museum of Cardiff's collections, interpretation and displays through the lens of the Race Equality Task Force findings and decolonisation.*
- R13. Ensure the Museum of Cardiff's collections policy strongly encourages oral histories.*
- R14. Ensure the Museum is staffed to successfully deliver its vision, goals and objectives in a sustainable manner.*
- R15. Revive the Museum of Cardiff's learning and outreach work via Schools and Hubs and other community settings, including temporary exhibitions, to encourage participation and boost access and inclusion.*
- R16. Establish an Advisory Group for the Museum of Cardiff, consisting of individuals with an optimum set of skills and museum expertise, enabling the Museum to benefit from this in the delivery of the vision and strategy.*
- R17. In establishing the Advisory Group, refer to the Charity Commission and museum governance good practice regarding how bodies are constituted and how they should operate to be most effective.*
- R18. Harness the goodwill of local stakeholders and communities with an ongoing events programme to enable and nurture relationships.*
- R19. Explore the potential for external funding to cover the cost of managing and expanding the volunteer programme.*

BACKGROUND CONTEXT

1. Museums have a valuable role to play in placemaking, community cohesion, tourism, economic growth, health and wellbeing, and skills and learning². Museums are generators of income for the wider economy – for every £1 contributed directly in GVA, an additional £4.40 is generated in the wider economy through supply chains³.
2. The Museums Association highlighted to this Inquiry that cities such as Bristol, Manchester and Liverpool have utilised Culture to reinvigorate their local economies and increase their cultural offer; museums can be part of this approach.
3. Welsh Government is the development agency for museums in Wales, with responsibility for accreditation and capital funding.
4. Welsh Government is working on a new Culture Strategy for Wales, which incorporates the learning from the *Expert Review of Local Museum Provision in Wales* (2015).
5. Welsh Government recognises local decision making, with local councils making decisions that are right for them and for their communities.

MUSEUM OF CARDIFF

6. The Museum of Cardiff opened in 2011 as the Cardiff Story Museum⁴, following work since 2002 to develop appropriate policies, identify a suitable location, secure funding, and work with local groups, religious groups and community associations to encourage local people to tell the Museum Project about any objects they had which had a story to tell about the history of Cardiff.
7. The Museum of Cardiff is held in high regard, winning a number of awards in a short space of time, which is a reflection of the good work it does. The Inquiry heard the Museum of Cardiff is particularly valued for:

² LGA – Making the most of your museums – A handbook for Councillors - 2019

³ National Museum Directors' Council - Written Submission to House of Lords Communication and Digital Select Committee Inquiry – A Creative Future - Sept 22

⁴ [Cardiff Story Museum - A Museum all about Cardiff \(cardiffmuseum.com\)](http://cardiffmuseum.com)

- Community focus and engagement with diverse communities
 - Telling the stories of the people of Cardiff
 - Fostering and harnessing partnerships
 - Co-creation and inculcation of skills
 - Welcoming approach.
8. The Museum has won many awards including:
- Visit Wales Gold Award - *for delivering a memorable visitor experience, 2022*
 - Family Friendly Museum Award – *shortlisted for website during covid, 2020*
 - Radical Changemaker Award - *to then-museum manager, Victoria Rogers, , 2019*
 - Museums Change Lives Award – *shortlisted for its dementia-friendly programme, 2019*
 - Best Leisure and Tourism Venue – *Cardiff Life Awards 2017.*
9. The current staffing structure is:
- Exhibitions Officer, who is currently the Acting Museum Manager
 - Project Officer
 - Collections Curator – job-share
 - Front of House supervisor – of 9 front-of house agency staff
10. There are two vacant positions:
- Museum Manager
 - Learning & Outreach Officer.
11. Members heard the success of the Museum reflects the high calibre staff working at the Museum, which can also be seen in the fact so many of them have gone on to work at the National Museum and Welsh Government to emulate this work elsewhere.
12. The initial plan for the Museum of Cardiff was constructed in phases, with Phase One including the development of the existing exhibitions and Phase Two including the development of exhibitions exploring the themes of Communities, Sport, Leisure and Culture, as well as income generation opportunities including a shop/ café and events. The original footprint of the Museum reflected this, covering the basement, ground floor, first floor, and part of the second floor of the Old Library. In 2015 the footprint for the Museum of Cardiff was reduced to enable the Welsh Language Centre to be

accommodated in the Old Library⁵. The Museum no longer had the First Floor Gallery and relinquished office and storage space on the second floor.

13. The Inquiry notes that, as the Museum is part of Cardiff Council, it is subject to political decisions, which include decisions regarding the property it occupies. Members heard from officers that the Council cannot grant itself a lease but if the Museum was not part of the Council – if it became a charitable trust – then it could be provided with a lease. The benefit of doing this would have to be weighed against the disbenefits, as set out later in this report at points 146-152.

Governance

14. The Museum of Cardiff is part of Cardiff Council, which is responsible for its day-to-day operations and planning for its future. As such, the Museum of Cardiff comes under the Council's governance, which ensures accountability and a consistent approach in line with the Council's overall policies and budget.
15. In addition, the Museum itself works to its own Forward Plan, which takes account of the Council, Welsh and UK government priorities and initiatives, and a series of policies, procedures and plans. These include: Museum of Cardiff Forward Plan; Collections Development Policy; Access and Diversity Policy; Volunteer Policy; Learning Policy; Collections Care and Conservation Policy; Documentation Policy; Access to and Use of Collections and Collections Knowledge Policy; and an Emergency Plan.
16. Councils are not able to access all the funding available to museums and so Cardiff Council worked to establish an independent charitable development trust, consisting of trustees who volunteer their time and expertise. The Cardiff Museum Development Trust was registered with the Charity Commission in 2010, with the following Charitable Objective:

"The Trustees must apply the income of the charity in furthering the objects ("the objects") of the advancement of education of the public in the local history and culture of Cardiff, in particular, but not exclusively, by the establishment and maintenance of a museum in Cardiff to record and preserve the local history and culture of Cardiff and its surrounding area and to promote public interest therein."

⁵ [Item 2 Cabinet 28 May 2015 Welsh Language Centre.pdf \(modern.gov.co.uk\)](#)

17. The Inquiry met with Development Trustees, who explained:
- the trust is an independent trust established to fundraise for the Museum of Cardiff
 - it is able to access funds that the Council is not able to, as it can apply for monies that are open to charities
 - it is part of their role to safeguard the future of the museum – their charitable objective includes establishment and maintenance of a museum in Cardiff to record and preserve the local history and culture of Cardiff and its surrounding area
 - the Trust is governed by charity law and cannot move too far from its current activities without seeking to change its charitable status and remit
 - many people are not aware of their role and fingers were pointed at them with the recent headlines during the budget consultation, when it is not their decision to make; this type of decision rests with the Council
 - the Development Trust is not involved with operational management of the Museum - that is the Council's role.
18. The Inquiry heard from Development trustees, officers and Councillor Burke, Cabinet Member, Culture, Parks and Events, that there is a positive and collaborative working relationship between the Council and the Development Trust, with proactive and constructive engagement.
19. It is accepted good practice for trustees to serve no more than 2 terms to ensure the Trust is refreshed and renewed every 3-5 years, and for trustees to serve no longer than 9 years as a rule⁶. Several Development trustees have served for longer than 5 years as it has been hard to recruit new trustees when the future of the museum has been uncertain.
20. Development Trustees have raised the need for new trustees and are hoping to recruit new trustees with appropriate knowledge, contacts and fundraising skills, once the future of the Museum is secure.

⁶ Charity Governance Code for Smaller Charities – Charity Governance Code Steering Group

Council Spend on Museum of Cardiff

21. The annual budget for the Museum of Cardiff is circa £513K pa. This includes a contribution towards the running costs of the Old Library, via service charges for shared spaces e.g., compliance with health and safety requirements, evacuation procedures, lamp changes etc.
22. Under new lease arrangements, the Royal Welsh College of Music and Drama (RWCMD) has taken on responsibility for repairs and maintenance of Old Library; they confirmed the Museum will have a lease for up to 5 years. During this time, the Museum will continue to contribute towards running costs of the Old Library.
23. The Museum of Cardiff budget was underspent by £61K 2022-23, with vacant posts not filled; the savings generated were used to offset overall overspends within the Council's budget.

External Funding for Museum of Cardiff

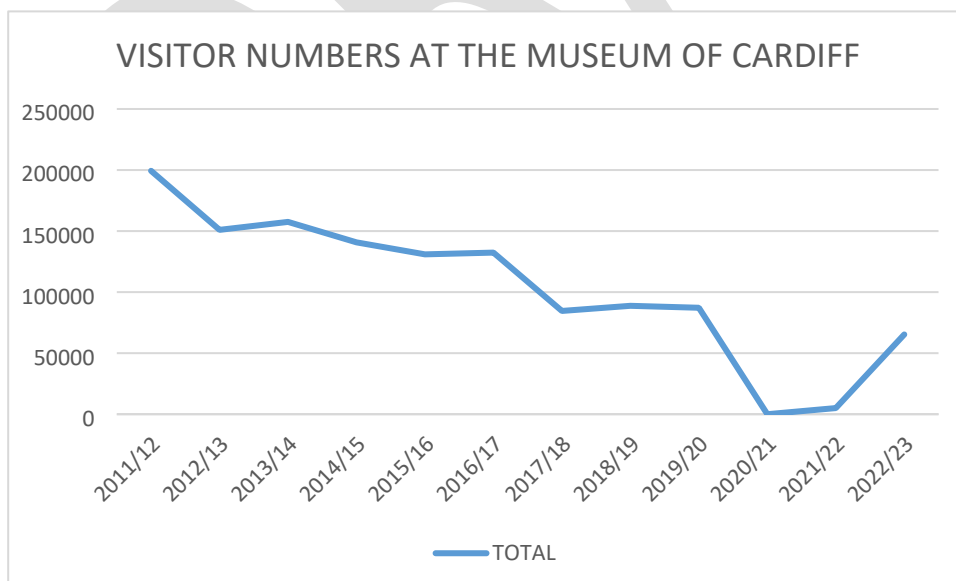
24. The inquiry heard the Museum has been successful in getting grants via the Development Trust and the work of the Museum's staff.
25. The Museum of Cardiff has been directly awarded Heritage Lottery Funding (HLF), Welsh Government and Federation of Museums and Art Galleries of Wales grant funding. Museum staff have also worked with third parties to help them secure external funding for exhibitions and projects - for example assisting with HLF applications, providing oral history training and co-curating exhibitions - resulting in leveraging well over £1M in grants for other community organisations.
26. The Development Trust successfully fundraised initially, helping to secure Moondance Foundation funding, endowments, and HLF match funding as well as holding fundraising events, such as a dinner and a bucket shake.
27. The Inquiry heard from the Development Trust that it has been difficult to fundraise when it has not been clear what the future of the Museum will be; the Trust needs to know the future of the Museum so that it can re-engage big funders and successfully fundraise.

Income Generation

28. Due to its occupancy space being reduced, the Museum of Cardiff does not have the space to generate income from a shop, café, events, or temporary exhibitions.
29. There are donation points throughout the Museum with one cashless point, in the foyer before visitors have entered the Museum.
30. The current annual income generation target is £15,000. The Museum currently income generates from left luggage lockers, school visits and room hire of the Learning Suite.

Footfall

31. Welsh Government stressed to the Inquiry that footfall alone should not be used to measure the value of the Museum; there should be a Social Return on Investment approach, taking into account the partnerships, trust, outreach and development work undertaken and how these have benefited the people and communities of Cardiff.
32. The Welsh Government 2019/20 Spotlight data shows the Museum had between 100,000 – 150,000 visitors; Members heard this is a significant visitor base.
33. Footfall at the Museum has been declining since well before the Covid-19 pandemic; this does not include visits to temporary exhibitions off-site – see point 36.



34. Members heard from several witnesses that the following factors have undercut the ability of staff to deliver and have contributed to a decline in footfall:

- loss of temporary exhibition space – Cardiff People First and Caer Heritage temporary exhibitions received significant visitor numbers – see pages 28 - 29. The Inquiry heard there had been a 3-year waiting list when the temporary gallery was closed. The Inquiry heard the lack of temporary exhibition space impacts on first and repeat visitors
 - staffing reductions – the lack of a Learning Officer in post means the Museum is taking self-led school bookings but is not able to take facilitated bookings or to undertake outreach to schools, leading to a reduction in school visits, a reduction in community engagement and a reduction in subsequent visits
 - lack of marketing and promotion – see points 87-88
 - lack of signage – because the Old Library is a listed building, opportunities are limited to increase external signage
 - lack of a café – V&A has promoted itself as a '*an ace café with quite a nice museum attached*', illustrating the advantages having a café can have in boosting footfall
 - exhibitions need updating – they are now over 10 years old, which is the accepted timeframe for renewing exhibitions
 - lack of space to host events/ fundraise, which in turn boosts awareness of the Museum and so boosts footfall.
35. Officers explained that the Museum knows how to achieve repeat visits and had success in the past with this, when it had the space and staff to hold events, such as 'mother & toddler' days, and temporary exhibitions.
36. To counter the lack of space onsite, the Museum has worked to hold temporary exhibitions off-site:
- 2017-18**
- *Cardiff Street Photography* exhibition - Pierhead building - 10,074 visitors
 - *Heroes of the Home Front* exhibition - National Trust's Dyffryn Gardens - 46,529 visitors.
- 2018-19**
- *Protest: Ideas worth fighting for* exhibition - Pierhead building - 5,369 visitors
 - *Displays at the National Eisteddfod* - 35,400 visitors.
37. Officers explained that, in 2019-20, the Museums worked to provide an events programme to encourage repeat visitors and opportunities for engagement:

- *Where's Wally Big Museum Hunt* - families travelled from South West England and North Wales to take part in the activity
 - *People of Butetown* project - a collaboration with a group of artists from Butetown resulting in a documentary film, music, artwork, photographs and poetry.
 - *Family fun day* – to celebrate 25 years of the National Lottery Heritage Fund - Pride Cymru, Oasis Cardiff, Romani Cultural and Arts Company, Cardiff People First, Cardiff City Community Table Tennis Club, Jewish History Association of South Wales, Firing Line Museum, Heritage Cultural Exchange, Wales Puja Committee and Mencap Cymru joined the Museum to create a family fun day.
38. Officers added that, in 2020-21, the Museum worked to ensure the covid pandemic is represented in the museum's collection for future generations to reflect on this period of history. It launched *Cardiff in Lockdown* (a photographic project, asking the public to submit their images of how their lives had changed during the pandemic), and worked with the Council's Cardiff Commitment team on their *Diff Diaries* project (encouraging children and young people to upload films, drawings, writing and photographs of their experiences of Lockdown).
39. In addition, to help address the loss of temporary exhibition space, the City Lab part of the Museum was revamped during lockdown and is now a more flexible space, enabling the Museum to react quickly to events e.g., hosting work by The Rebel Bear.
40. Officers felt that their work was starting to positively impact footfall, stating that it was encouraging to see visitor figures return to above pre-pandemic levels in the last quarter of 22/23, demonstrating the importance of flexible space and the ability to change the visitor offer.

Current Community Engagement

41. Welsh Government highlighted the Museum of Cardiff is seen as the 'go-to' place in Wales for examples of local community engagement, such as work with young people, older people, people with dementia, and refugees.

42. Dr Wyatt explained he uses the Museum of Cardiff as an exemplar for his students to understand what it means to be an ICOM museum⁷.
43. Members heard clear evidence from Caer Heritage that the Museum of Cardiff is an active participant in community engagement projects with the Ely and Caerau communities of Cardiff; the Museum plays a central role in this, helping to co-create and fostering social cohesion.

Caer Heritage – Caer Heritage is a project that focuses on the heritage of West Cardiff, from the neolithic, iron age, bronze age and roman times, to more recent history of the post-First World War housing estates. It is embedded in the local communities, working with Action in Caerau and Ely (ACE) and local people to learn from them and their histories, and involving academics from Cardiff University as well as Amgueddfa Cymru and the Museum of Cardiff.

The Museum of Cardiff has been an active participant from the start of the project, bringing curatorial and other expertise, for example:

AHRC-funded project 2013 - Museum worked with young people at Mary Immaculate High School, Fitzalan High School and Glyn Derw High School on interpretation and display of their artwork and models, resulting from Caer Heritage AHRC-funded project to do co-creative research involving geo-physical surveys, artists impressions and eco-graffiti.

North Ely Exhibition 2016 – Museum trained young people in how to undertake oral history and intergenerational work and assisted in work with Glamorgan Archives and local Healthy, Wealthy and Wise group to draw out stories of North Ely; the subsequent co-created exhibition received 3,532 visitors, many from Ely and Caerau, over its 8 weeks on display.

Adult Community Learners Project – Museum worked with participants to co-curate a temporary 1-week exhibition that was viewed by over 1, 000 visitors; one participant went on to a degree course.

Covid Pandemic – Museum worked with Caer Heritage to have online ‘back garden digs’ and ‘cupboard excavations’, including working with Year 7 pupils from Cardiff West Community High School.

Heritage Centre Steering Group – the Museum is actively involved, co-creating the grant bid and sitting on the Steering Group.

The partnership between the Museum and Caer Heritage is long-term, built on trust, helping to promote and forge social cohesion, foster and harness partnerships and inculcate skills.⁸

⁷ A museum is a not-for-profit, permanent institution in the service of society that researches, collects, conserves, interprets and exhibits tangible and intangible heritage. Open to the public, accessible and inclusive, museums foster diversity and sustainability. They operate and communicate ethically, professionally and with the participation of communities, offering varied experiences for education, enjoyment, reflection and knowledge sharing [Museum Definition - International Council of Museums - International Council of Museums \(icom.museum\)](#) accessed 25 May 2023

⁸ [Our World War – Cardiff suburb reclaims lost heritage - News - Cardiff University](#)
<https://www.cardiff.ac.uk/news/view/1340114-hidden-histories-of-caerau-and-ely>

44. Members heard from Cardiff People First that their engagement with the Museum is important to them as it helps change society's view of people with learning disabilities and it helps give a sense of purpose to people with a learning disability who are involved with the museum.

Cardiff People First – Cardiff People First is a self-advocacy organisation run by and for people with a learning disability in Cardiff. They have been involved with the Museum of Cardiff for several years:

Exhibitions – the Museum has worked with Cardiff People First to develop two exhibitions. The first exhibition focused on Ely Hospital, telling the stories of the people who lived there and the staff who worked there; it received over 2,000 visitors and was hosted on the first floor of the Museum. The second exhibition was planned to be exhibited at the Museum but had to move to the Pierhead Building when the first floor was given to the Welsh Language Centre. These exhibitions help to ensure people with learning disabilities feel heard and have their lives reflected at the museum, enabling future generations to know about the stories of people with learning disabilities in Cardiff. Members heard Cardiff People First would like to do more exhibitions at the Museum if funding and resources were available.

Take-Over Days – the Museum works with Cardiff People First to plan and facilitate take-over days, which have been running for the last eight years; the next one is planned for 29 July 2023. People with learning disabilities take over the role of staff for the day, helping to change society's view of people with learning disabilities and giving a sense of purpose to those involved.

Volunteering – Museum staff train Cardiff People First members who regularly volunteer at the Museum, helping to meet and greet visitors and show visitors around the museum. Cardiff People First train museum staff and volunteers about disabilities and how to help people with learning disabilities. Volunteering at the Museum enables people with learning disabilities to contribute, meet new people and make new friends, and shows society what people with learning disabilities are able to do.

45. Members heard the Museum of Cardiff needs to engage more with a wider range of local communities, not just schools, younger families, and older people but people in their 20's and 30's who currently go to Bristol for museums, art, culture and galleries. It is important that the Museum of Cardiff encourages communities in Cardiff to engage with their collections, using new ways to enable this e.g., museum/gallery in Bristol that runs weekly painting and pottery workshops using items from their collection to inspire the workshop.
46. Officers explained the Museum has been enthusiastic in trying new programming ideas to attract the 20-30 age group, such as Acoustic sets in the galleries, Museum Lates and

Bake-Off competitions. They cited analysis of the Museum's visitor profile, that shows in 2011 50% of visitors were over 55 years of age and 23% of visitors were aged 25-44 and in 2019 this changed to 32% of visitors were over 55 years of age and 42% of visitors were age 25-44.

47. Officers provided the following examples of using collections:
- Reminiscence and craft - using collections about cooking to reminisce about food and cooking, while drawing the objects from the collection.
 - Memory boxes – a collection of handling objects grouped by decade which trained staff and volunteers take to care homes and community centres. Staff and volunteers are dementia friend trained.
 - Handling boxes – a collection of handling objects by theme, which trained staff and volunteers use in the museum galleries to enable visitors and school pupils to hold and talk about the objects.

Volunteering

48. The Museum of Cardiff relies on volunteers to provide some of its front-of-house and collections services; on their visit to the Museum, Members met some of these volunteers and were struck by their commitment and knowledge and their ability to enrich the visitor experience.
49. Cardiff People First members regularly volunteer at the Museum and Members heard this is a good example of an ethical volunteering scheme, where participants receive training, have support and learn skills that help them transition to work.
50. Officers explained they have just started working with Oasis to provide volunteer opportunities for people who are seeking asylum and that the Museum also provides volunteer placements for two students each year.

Current Inclusivity and Representativeness

51. Members heard that the Museum of Cardiff is one of the least colonial museums in the UK as exhibits all have the explicit permission and narrative of owners. Members also heard that it has worked to represent various communities in its displays and collections,

including people with learning disabilities, residents of Butetown, Caerau and Ely, Gypsies, Travellers, and Asylum Seekers and Refugees.

52. Officers explained that the Museum is working with Welsh Government consultants who have looked at the Museum's collections, checking for links to empire and colonisation; the consultant will be producing a report and training staff, as part of Welsh Government's delivery of the Anti-Racist Wales Action Plan. Officers also explained that the Museum has partnered with Norena Shopland to develop an LGBTQ+ timeline for Cardiff which is displayed on the Museum's website.
53. Members heard that inclusive interpretation has been a key feature of the Museum since the start, with BSL interpretation making it accessible to the deaf community.
54. Members heard there is a need to improve the signage for the disabled access toilet so that it is clear and obvious to visitors, volunteers and staff; the building is accessible for wheelchair users – they need to know where the disabled toilet is and how to get to it.

Contemporary Collections

55. Members heard from the Museum Association that the Museum of Cardiff is one of the better museums for its work on anti-racism. However, the Museums Association highlighted there is great potential for the Museum to go further by collecting a wider range of contemporary items, to reflect the huge, vibrant, diverse and exciting history and culture of Cardiff and encourage engagement from a wider range of communities in Cardiff, with objects on display that are relevant to residents across Cardiff e.g., information about Betty Campbell, the Windrush Generation, and the current reggae scene in Cardiff.
56. Members reflected on the findings of the Cardiff Race Equality Task Force and that, whilst these do not specifically focus on Culture, many of the findings are relevant to the Museum of Cardiff, for example some of the findings on employment and representative workforce, education and young people, and citizens' voice. Members note the Council has accepted the Task Force recommendations and believe there is scope for the work

of the Museum of Cardiff to reflect this and be part of the work to implement some of these recommendations.

Digital Collections

57. The Inquiry heard that the Museum team secured several grants during the pandemic to support its move to increased digital activity, creating a publicly accessible collections website, with more of the collection being photographed and catalogued. The Museum also created a new section of its website for online exhibitions.
58. Officers explained the Museum also created downloadable resources and activities for families and for home-schooling children in Foundation phase, primary and secondary schools, with the Museum working with partners to print the resources and send them to families without digital access.

WORKING TOWARDS THE FUTURE

59. Following the budget consultation, the Council and Development Trustees formed a Working Party to '*undertake a detailed examination of the best way to ensure a stable future for the museum.*'⁹
60. The Inquiry heard from Council officers and Development Trustees that the Working Party is identifying possible locations, assessing these against the museum Accreditation Scheme requirements and potential clawback of funding, and making a series of recommendations on the best way forward for the Museum.
61. Members heard the Working Party is positive and the best opportunity to secure stability and momentum for the Museum, with constructive dialogue between the Council and Development Trustees about the future of the Museum.
62. This Inquiry notes that the LGA highlights that there are various operating models used by museums in England and Wales, each with its own pros and cons, and that any proposed change takes considerable time and requires a robust options appraisal and

⁹ [Cardiff Council U-turns on plans to make Story Museum mobile - BBC News](#)

business case to ensure the proposed model aligns with the needs of the community and local priorities¹⁰. The LGA stress that, even where a council decides to keep a museum in-house, it should still explore ways in which the museum can improve efficiency and effectiveness and identify barriers to progress which may exist within the council.

63. This Inquiry found that the *Future Proof Approach*¹¹ is a change programme used across England to improve the resilience of museums, which stresses different approaches are needed for different museums. Museums are encouraged to work on a series of questions regarding whether their vision and approach are desirable, feasible, and viable, testing their inclusivity, representativeness, engagement with local communities, partnership working, efficiency and effectiveness.
64. Welsh Government and other witnesses stressed that it is important local communities along with all the Museum's partners are involved in working out the future for the Museum, to ensure that it keeps its current support and relationships. The Federation of Museums and Art Galleries of Wales stated this could include a public consultation exercise on the possible locations option shortlist.
65. Councillor Burke informed the Inquiry that she supports working collaboratively; officers added that there will be stakeholder engagement to ensure work reflects the broader issues facing the Museum.

Royal Welsh College of Music and Drama (RWCMD)

66. The Museum of Cardiff and the RWCMD will be the main occupants of the Old Library until a new location is found for the Museum. Several witnesses highlighted the opportunity for the Museum of Cardiff and the RWCMD to build a creative relationship, with the Museum being an inspiration for students' creative work, and then benefiting from events drawing in new audiences and increasing footfall.

¹⁰ LGA – Making the most of your museums – A handbook for Councillors - 2019

¹¹ [Future-Proof-Resource-WEB.pdf \(culturehive.co.uk\)](#), [Future-Proof-Museums-notebook-WEB-SPREADS-1-2.pdf \(culturehive.co.uk\)](#), [Future Proof Museums - Arts Marketing Association \(a-m-a.co.uk\)](#)

67. Members heard from council officers that the Museum has worked closely with RWCMD since 2014:
- 2014 - worked with artist Janette Paris as part of the Museums at Night festival. Janette worked with students from the RWCMD to create alternative tours of the galleries, with acting, music and puppets.
 - 2022-23 student puppet shows - the students based their puppet show on the history of Cardiff. They visited the museum to get inspiration and based their shows on the stories they had seen in the museum. Guests to the shows were encouraged to visit the museum prior to seeing the shows.
 - 2022-23 students' performance and events module - as part of their module about arranging an event, students arranged Music at the Museum, and performed in the galleries for visitors.
68. Members also heard concerns that there is a need to have a plan to manage the relationship between the Museum and RWCMD, to ensure day-to-day issues do not adversely affect footfall or the operations of the Museum. Members heard from council officers that there is a positive and constructive relationship between the Museum and RWCMD.

KEY FACTORS FOR A SUSTAINABLE FUTURE

69. Members heard from Welsh Government that the following are important to ensure a successful, sustainable museum:
- Vision – need a clear vision
 - Strategic Direction – aligning to vision and purpose of museum
 - Location
 - Audience
 - Content of museum - alternating offer – helps draw in repeat visitors, which are really important for sustainability of museum
 - Shop/ Café.
70. Officers explained that they see the following as key to the future of the Museum:
- A 'permanent home', capital funding, workforce and revenue

- Forward plan and strong vision
- Business plan, to develop an operating model with revenue streams built in
- Continue to develop in partnership and in consultation with Cardiff's communities.

Vision & Strategy

71. Members heard from several witnesses that it is imperative a medium and long-term vision and strategy for the Museum of Cardiff are developed, setting out the purpose of the Museum and enabling the Development Trust to fundraise to this core vision.
72. The *Open Up guidebook*¹² highlights the need for the vision of a museum to be people focused and to champion inclusivity and equity.
73. Members heard that it is important museums are included in the Council's wider Culture Strategy, echoing the finding of the 2017 Mendoza Review of English Museums, which recommended local authorities cultural strategies set out how the Council could best support museums. Members are aware that the Council is working on its new Culture Strategy and is awaiting the publication of Welsh Government's Culture Strategy to ensure the Council aligns with this.
74. Members heard that museums are a driver of economic growth and that other cities, such as Bristol, Manchester and Liverpool have used culture to reinvigorate their local economies and increase their cultural offer.
75. Officers highlighted the aspiration is to have a museum that is as good as the Museum of Liverpool, albeit that they do not have access to the same levels of funding that benefits from, but that the immediate challenge is to find a viable location for the museum.

¹² Open Up Museums for Everyone – A practical guide to support museums to increase the diversity of their visitors – AIM/ MA/ Arts Council/ Welsh Government/ Museums Galleries Scotland National Museums Northern Ireland/ HLF

Governance

76. Members of the Inquiry discussed with officers whether the Museum needs to have an advisory body or board, including trustees with museum expertise. Officers commented that this could be considered moving forward, once the future of the museum is clearer.
77. Regarding the Development Trust, officers reiterated that it is a fundraising body only and that there will be an opportunity to refresh membership, once the Museum has a clear vision, as this will attract new members.
78. The *Open-Up Guidebook*¹³ highlights the importance of ensuring the trustees' protected characteristics, along with staff and volunteers, are representative of the communities they wish to reach and engage, to help create a 360° commitment to an open and responsive culture that champions inclusivity, values diversity and seeks equity.
79. The Museums Association highlighted it is important that some trustees have expertise in museums; Members reflected this is important in cases where trustees have management responsibilities but is arguably less important in the case of the Cardiff Museum Development Trust as its purpose is to fundraise and it works collaboratively with the Museum's staff whilst doing this.

Future Focus of Museum

80. Members asked witnesses for their views on what the future focus of the Museum should be. Several witnesses emphasised that its current focus should remain – it should tell the stories of the people of Cardiff:

'..the lives of ordinary people should be documented and shared to create a sense of belonging'

Cardiff Civic Society

' It should tell the stories of working-class people from Cardiff – it has won awards for doing this as people recognise the value of doing this and that most museums do not focus on this.'

Dr Dave Wyatt, Caer Heritage

¹³ See previous reference 12

81. Professor Henderson highlighted that the Museum could also become a campaigning museum, similar to Manchester University's Museum, and have Citizen Galleries, or it could become a museum that focuses on sustainable futures, focusing on reuse, carbon literacy, sustainable futures etc. Professor Henderson stressed that there are many possibilities, and it is therefore important for there to be discussions and conversations that enable people to express their views on the future of the museum.
82. The *Open Up guidebook*¹⁴ stresses the need for genuine engagement to understand who else might be involved and how to ensure the Museum reflects local communities.

Audience

83. Members heard that it is important to understand the audience for the Museum of Cardiff, as this will help to build and diversify the audience base, assist with resource allocation, assist with funding applications, and can be used to improve the resilience of the museum. It is also an important factor to bear in mind when determining a new location.
84. The Association of Independent Museums (AIM) has published a useful guide¹⁵, that sets out the mix of quantitative and qualitative data needed to understand audiences and low or no cost ways of gathering this information.
85. Members heard from several witnesses that museums can be both for local audiences and for visitors, as long as there is sufficient resource to meet these differing needs and expectations e.g., exhibitions officer, education officer.
86. As mentioned earlier, at point 54, the Museums Association Members highlighted there is scope to:
- engage more with a wider range of local communities, including people in their 20's and 30's

¹⁴ See previous reference 12

¹⁵ [Understanding Your Audiences 2020 \(aim-museums.co.uk\)](https://aim-museums.co.uk/understanding-your-audiences-2020)

- encourage engagement from a wider range of communities in Cardiff, with objects on display that are relevant to residents across

87. The *Open Up Guidebook*¹⁶ contains guidance on whose voices are represented and whose stories are shared, emphasises the need to look at who else might be involved in museums, and stresses it is important to form and nurture relationships with networks and community representatives.

Marketing & Signage

88. Members heard it is important to market the Museum of Cardiff effectively, to sell the success story that it is, and so help grow the audience.
89. Members heard it is important to improve the city centre signage to the Museum, so that residents and visitors are clear where it is sited and how to access it.

Funding

90. Members heard the main monies museums in Wales can bid for are National Lottery Heritage Funding, Welsh Government funding, and Federation of Museums and Art Galleries of Wales grants, complemented by various other grants and trust monies.
91. Welsh Government clarified that, in addition to the local authority block grant, funding available to museums includes Transformation Capital Grant, Anti-Racist Wales Action Plan revenue and capital grants, one off/ bespoke small revenue and capital grants, and monies from other areas of Welsh Government spend that museums contribute to, such as the Brilliant Basics tourism grants. Welsh Government also confirmed that there might be more funding following the Spending Review, and that there may be additional funding focused on delivering the LGBTQ+ Action Plan in 2024-25.
92. Welsh Government stated that it may be possible to provide bespoke revenue funding for specific needs, such as a feasibility study on options for the future of Museum of

¹⁶ See previous reference 12

Cardiff, with the Welsh Government Museums team able to advise on suitable independent consultants.

Capital City Status

93. During the campaign against the budget consultation proposal, several people, including Jo Stevens, MP Central Cardiff, questioned the role of Welsh Government in relation to the museum of the capital of Wales. Members sought the views of witnesses and note:
- Welsh Government does not have revenue funding for museums. It focuses on ensuring accessibility to culture and heritage for all diverse communities across Wales
 - The Museum of London does not have funding from UK Government but receives funding from the London Assembly
 - Some witnesses did think that Cardiff being the capital of Wales does give special status to the Museum of Cardiff or that this idea should be further explored.

Funding Plan

94. Members heard that it is beneficial for museums to have a 3-year funding plan, as recommended by the Welsh Government's *Review of Amgueddfa Cymru* (Dr. Thurley 2017).
95. Members heard that investment is needed in the Museum of Cardiff to address staffing capacity and enable the Museum to fulfil its potential. The Museums Association recommended that a long-term investment strategy with capital funding be developed, and Dr Wyatt highlighted that it is essential the Museum identifies and sources sufficient funding.

Key Funders & Relationship Management

96. Witnesses highlighted the importance of maintaining good relationships with existing funders of the Museum of Cardiff, including the National Lottery and Moondance Foundation.
97. Development Trustees explained they are staying connected to funders so that they are in a good place to move forward once a new location is found, adding the key is to maintain trust.

Fundraising

98. The *LGA Handbook*¹⁷ highlights the possibility of funding coming from a range of partners, depending on projects and exhibitions being relevant to their needs e.g., health boards, business groups, education providers etc. Research to inform the Inquiry – see **Appendix 2** - found a range of fundraising ideas used by other Museums.

1. Trust and Foundations
 - a. Specific to museums and heritage
 - b. Specific to particular groups
2. Individual Giving
 - a. Major Donors
 - b. Supporter groups
 - i. Membership/Friends
 - ii. Patrons
3. Gifts in Wills/ Legacy Giving
4. Donation Boxes & Cashless Donations
5. Public Funders
6. Postcode Lottery – organised into separate regional trusts.
7. Landfill Communities Fund (via Entrust)
8. AIM
9. The Architectural Heritage Fund which focuses on acquisition, reuse or redevelopment of buildings which are of historic or architectural important
10. The NESTA Arts Impact Fund.
11. Crowdfunding
12. Public Giving Campaign
13. Online Giving
 - a. Via tickets – if get Gift Aid
 - b. Via online giving platform – Charities Aid Foundation, Just Giving, Donor Box
 - c. Encourage regular giving
 - d. Crowd funding
14. Gift Aid

99. Andrew RT Davies MS stated '*The funding model ought to involve more private sector involvement, with the revenue this would bring. Some small and medium size Cardiff businesses would welcome an opportunity to be featured, especially the case if the Museum is to be in a prominent city centre location such as the Old Library building.*'

100. Members heard there is potential to improve the donation rate by empowering staff to actively seek donations, increasing signage for donations, and increasing cashless donation points

¹⁷ LGA – Making the most of your museums – A handbook for Councillors - 2019

Income Generation

101. Research for the Inquiry – see **Appendix 2** - found the following income generation approaches being used by other museums:

1. Events – music, gastronomy, theatre, movie nights, annual calendar of events
2. Café/ Catering - social visits, private and corporate hire, weddings,
3. Retail – gift shop, pop-up seasonal shop
4. Filming –
5. Commercial mindset – and targets for staff
6. Venue hire – corporate away days
7. Group Visits
8. Tours
9. Photo Shoots
10. Copyright and licensing
11. Overnight visits
12. Gala/ black-tie fundraisers
13. Day Lockers
14. Donations – improving these
15. Specific Gallery trails
16. Online income generation
 - a. Retail sales
 - b. Charge admission for special events/ Premium online offerings
 - c. Introduce virtual membership level/ benefits
 - d. Develop virtual courses/ summer camps
 - e. Online ‘gala’ fundraiser
 - f. Develop ‘pay-what-you- want’ model
 - g. Artefact adoption
 - h. Visitor donations
 - i. Commercial sponsorship
 - j. Web advertising
 - k. Staff Interactions

102. Welsh Government highlighted the approach to income generation would vary from museum to museum, that museums had to choose an approach they were comfortable with and that met the needs of their local communities, and that it was important to have a mix of approaches to ensure the museum is not wholly reliant on one approach.

103. The *LGA Handbook*¹⁸ highlights that Councils can reduce barriers to enterprise and ensure freedom for museums to flourish, for example by ensuring security of tenure and control of branding, communications, finances and operations. This can help with access

¹⁸ LGA – Making the most of your museums – A handbook for Councillors - 2019

to UK Government funding such as Museums and Galleries Tax Relief, which has recently been extended till 2026.

104. Members heard some museum directors would be emphatic that a shop and café have to be part of the visitor experience, even if they do not make any money, as they help to extend visitor stay and helps to attract repeat visitors.
105. Members heard that there are revenue opportunities that the Museum of Cardiff could exploit if it had the space to have a shop and/ or a café.

Admission Charging

106. One in three local authority museums charge for admission¹⁹. Research has found there is no direct link between the diversity of audiences and whether a museum charges for admission or not, with the pattern in terms of social mix being very similar. However, such a finding needs to acknowledge that the general social mix of museum visitors is not always representative of the wider social mix within their communities.
107. Witnesses were in agreement that charging for admissions would not work for the Museum of Cardiff, given that there are free entry museums in and around Cardiff that visitors would most likely choose to go to rather than pay.
108. Some witnesses wondered whether it would be feasible to charge for special exhibitions if people were assured that the monies raised would be spent on the next, quality, exhibition. However, Welsh Government highlighted that this could impact on membership schemes – a museum needs to be able to offer something extra to warrant the membership charge and if it is not free entry, then they need to think about offering additional activities or content, such as lectures, speakers, first viewings, special content.
109. Brighton & Hove Council introduced charging in 2015, for the Brighton Museum & Art Gallery, for visitors, with exemptions for local residents, museum members, students in full time education in Brighton & Hove, and all UK school children.

¹⁹ LGA – Making the most of your museums – A handbook for Councillors - 2019

Location

Current location

110. Several witnesses highlighted the current location provides good access to the Museum of Cardiff as it is central and has wheelchair access. Some witnesses stated that the current location is valuable as it has the prestige of being in the centre and in a beautiful building.
111. Dr Wyatt highlighted that the current location provides a free space in the city centre and as such is important, particularly as it is family-oriented.
112. However, Members also heard that the current location does not enable the Museum to create revenue and that it has limited space in the building.

Temporary Location

113. The Federation of Museums and Art Galleries of Wales highlighted the need to avoid a temporary move as these can result in the downgrading of a museum as footfall, interest and good intentions wane, with the danger that the museum is still in the temporary location twenty years later.

New location

114. Members heard that a new location must:
- Have security of tenure
 - Meet Accreditation Criteria, such as the security of site, areas for learning opportunities, accessibility, and a site where there is good footfall
 - Be determined by the goals and objectives of the museum
 - Match the exhibition size, scope and footfall of the current Museum of Cardiff location, to minimise the risk of clawback from funders and to provide opportunities to increase the income-stream of the Museum.
115. Members heard that it is important the museum is accessible for school trips in terms of drop off/ pick up points and for lorries to enable delivery and collection of large exhibition items.

116. Councillor Burke, Cabinet Member, Culture, Parks and Events, stated that the new location would have to have similar square footage, to not take away from the existing offer. It would have to be a realistic alternative, not a short-term option but a long-term commitment.
117. Officers added that, ideally, the new location would be bigger than the current location, to reflect the original footprint of the Museum when it was first opened. However, in the first instance, it is important the new location is not smaller. Officers also explained that the new location would need to enable income generation, to reduce reliance on the current Council subsidy of circa £513k pa, and so boost the sustainability of the Museum.

Essential Spaces in Future Museum

118. Members heard it is essential the new location for the Museum contains:
- Foyers/ entrance
 - Retail/ Café – to drive income and increase museum footfall and length of stay
 - Permanent Displays spaces
 - Temporary Exhibition Space – enables the museum to change, stay on trend, reflect Visit Wales themes, and celebrate/ commemorate anniversaries. This increases footfall and diverse audiences.
 - Office accommodation – it is better if this is with the museum with most staff on-site.
 - Visitor Facilities – for school visits and other community groups – wet space, activity rooms, handling rooms etc.
 - Collection Space – to process new material into the collection
 - Spaces for hire – to drive income and raise awareness of the museum, thus increasing footfall.

Possible locations in Cardiff

119. Members heard a city centre location would be good as it would be easy for local people to access, which would help with repeat visits, and it would be easy to access for visitors to Cardiff.

120. Members heard Cardiff Bay could be a good location, particularly if the Museum is looking to attract footfall from visitors to Cardiff, especially with planned developments such as the Indoor Arena.
121. The Museums Association commented that Cardiff Castle would not be a suitable permanent location as it is too small for the Museum of Cardiff's current collections and future needs, and this would mean the National Lottery would clawback funding and that it would be very unlikely to support bids for future funding. However, Cardiff Castle could be a temporary location, as long as a permanent location was assured and in writing, as otherwise funders would not be convinced.
122. Andrew RT Davies MS stated that buildings such as City Hall, Cardiff Castle or St David's Hall each have their own offer so the Museum must not "water down" what is already provided.
123. Professor Henderson highlighted that many historic buildings are tremendously difficult to make accessible and to adapt, restricting options.

Views of Funders

124. The views of funders are important when determining location, both in terms of potential clawback of existing funding and in terms of future funding.
125. The National Lottery is the main funder of museums. Professor Henderson explained it is important to meet their requirements for funding; they start from a community-focused approach, so proposals need to be community-led and community-based.
126. If proposals meet funders requirements, it may be possible to get funding to move to a new location e.g., Lottery funding to move to a new location that fitted with their community goals and desire to tackle socio-economic issues.

Clawback of Funding

127. Welsh Government explained that, if the Museum of Cardiff closes or changes location, there is a significant risk that funders may seek to clawback existing funding as the

expectation when they gave the funding, that exhibitions etc. would be available for a certain length of time, may no longer apply.

128. Funders seeking clawback would include National Lottery Heritage Fund, Welsh Government, V&A, and, potentially, Moondance Foundation.
129. Members heard that funders are watching carefully to see what happens with the future of the Museum and that it is important there is clear communication with funders about the future of the Museum.
130. Development Trustees advised that risks of clawback can also be mitigated by ensuring there are clear assurances that the Museum can stay in the preferred new location for a significant period of time and that there is a process of negotiation with funders.
131. Witnesses advised Members that clawback is a reputational risk for Cardiff Council – not only regarding the Museum of Cardiff but regarding the other HLF projects across Cardiff.

Options Appraisal

132. The Federation of Museums and Art Galleries of Wales informed the Inquiry there should be an options appraisal, looking at where would be best, what facilities are there, and what the costs would be.
133. Members heard the Development Trustees are working with Cardiff Council, via the Working Party, to go through a list of possible locations that meet accreditation requirements and enable income generation. A high-level options appraisal to review several opportunities quickly identified that many of the options are not suitable – costs are prohibitive, and/or they have liabilities associated with heritage buildings.
134. Officers explained they are narrowing down the options and will then procure an independent Feasibility Study, which will include looking at a Social Return on Investment model, assessing income generation opportunities, and liaising with stakeholders.

135. Officers explained that there could be a possibility of a new, bespoke building of an adequate size, as part of other projects, helping to mitigate costs; however, this would take a long time to achieve, so officers are looking for another location that is available sooner than this.

Staffing

136. Members heard the level of future staffing should be determined by the goals and objectives of the Museum and could include:

- funding officer
- community engagement/ learning & outreach officer
- curatorial staff
- Museum Manager.

137. Officers explained that a certain level of staffing is required to maintain Accreditation status, that the Museum's front of house team is its USP, and that the final structure will be determined by the future operating model of the Museum.

Collections

138. The Inquiry heard about the growth in online, digital collections. The Senedd Inquiry on the impact of the pandemic on heritage, museums and archives (2020)²⁰ explored the need to take account of digital delivery, and recommended increased resources, a strategic approach, and clarity about how digital collections are used to mitigate social exclusion and increase access to museums. The Welsh Government response²¹ highlighted their Culture Strategy will address these, that additional funding has been provided and that the Cultural Contract ensures funding is deployed with social purpose.

139. The *LGA Handbook*²² references the Hidden Museum at Bristol as a case study of how technology is being used by families and young people to explore museum collections.

²⁰ [cr-ld13401-e.pdf \(senedd.wales\)](#)

²¹ [gen-ld13469-e.pdf \(senedd.wales\)](#)

²² LGA – Making the most of your museums – A handbook for Councillors - 2019

Interpretation and Displays

140. Members heard that interpretation and displays are important as by reviewing and considering our interpretation we can promote equality and inclusivity. The AIM Hallmark²³ states:
- museums need to *'develop and understand our collection, identify missing perspectives and histories and use them to encourage debate and discussion'*
 - *'Co-curation takes audience engagement further and invites people to come on in and help us design and interpret our collection. True co-curation is about giving equal control and decision ..Derby Museums use a toolkit called Human Centred Design which provides ideas and new ways to involve people in the design process'*
141. Members heard it is important that museums think about the stories they want to tell, and focus displays accordingly. Members note that oral histories are an important part of this.
142. Members heard it is important to not put everything on display – to keep some in reserve to enable displays to be refreshed.

Storage

143. Members explored with witnesses whether storage should be on or offsite and heard:
- The Museum of Cardiff should be increasing its collection and so storage is required as only about 10% of collection is on display at any one time, allowing for displays to be refreshed
 - Storage should not be too far away as it makes it more difficult to keep an eye on it and makes it harder to refresh displays
 - If storage is offsite, it means more buildings can be considered for relocation
 - It makes sense for storage to be offsite as then not paying costly rental for space
 - The new location should focus on display, interpretation, learning and activities rather than storage.

²³ [AIM-Succes-Guide-Museum-Displays-and-Interpretation-FINAL-smaller.pdf \(aim-museums.co.uk\)](#)

144. Welsh Government explained they have commissioned a Collections Review of Storage across Wales, exploring options around shared storage options, as happens at the Science Museum's facility in Wroughton, Swindon. Officer confirmed that the Museum has contributed to the initial survey and that the Museum has been selected to be part in the next phase of this work, looking at collections and digital storage.
145. Glamorgan Archives informed the Inquiry that their storage is geared towards archival items, and they do not have the capacity to take large items. They commented that they often work closely with the Museum on collections that have a mixture of documentary and object material where the Archives takes the documents or photographs and the Museum the objects or works of art. They highlighted that their requirements for storage grow every year and, in the event that the Archives would need the space back, they would have to give notice to end the agreement with the Museum to be able to use the shelves ourselves. They explained this is likely to be some years away but is worth bearing in mind that it is a possibility in the future.
146. Offices explained that, if further storage was needed and Glamorgan Archives was not able to assist, the Museum would look at other options, including within the Council, that had the right environment and security conditions.

Operating Models

147. Members sought the views of witnesses on the various possible operating models for the Museum of Cardiff and note:
- Welsh Government stated that there are 3 operating models applicable for Local Authority-run museums – they stay Local Authority-run, they move into a charitable trust, or they move into an independent trust
 - The charitable trusts in Wales that include museums also include other areas such as leisure that generally subsidise the operation of museums
 - There is only one example in Wales of a Local Authority-run Museum moving to an independent trust and Welsh Government do not think this is a viable model for the Museum of Cardiff
 - The Federation of Museums and Art Galleries of Wales highlighted that Local Authority-run museums are the most successful and most strategic museums in

Wales because these museums are focused on Welsh Government objectives, are key to their delivery, take this wider strategic view and are committed to this agenda e.g., wellbeing – Dementia and Parkinson’s cafes and projects, projects for people with special needs.

148. Development Trustees informed the Inquiry that they do not support the museum moving to a charitable trust or independent trust, believing it should stay with the Council as the Council’s backing helps with the credibility and sustainability of long-term funding.
149. Officers explained that charitable trusts still require significant monies from local authorities and that they require extra staff and funding to tackle the work currently provided by the Council’s central services e.g., health & safety, graphic design, communications, procurement, HR etc. Moving to a charitable trust would not necessarily solve, in and of itself, the issue of the Council’s subsidy for the Museum. Officers added the pros of moving to a charitable trust may not outweigh the cons, particularly as there is already the Development Trust to fundraise.
150. Officers stated that it is a balance between costs and controls – if the local authority gives monies, it expects control. Members would also need to consider that they would be relinquishing control to non-elected representatives.
151. Councillor Burke, Cabinet Member, Culture, Parks and Events, stated that she was keeping an open mind – all options are worth investigating to find out about pros and cons before making a final decision.
152. The *LGA Handbook*²⁴ provides a useful summary of existing guidance and key factors to consider when appraising alternative delivery approaches. They highlight the Department for Digital Culture Media and Sport (DCMS) has produced guidance, with the following table summarising the characteristics of the alternative delivery models DCMS identified:

²⁴ LGA – Making the most of your museums – A handbook for Councillors - 2019

| Delivery model | Ownership | Governance | Services |
|---|---|---|--|
| Local Authority Trading Company (sometimes referred to as a Wholly Owned Company) | 100 per cent parent council(s) | Can be designed for flexibility/autonomy. Requires a council-appointed board. Service Level Agreement (SLA)/ contract with parent council(s) – control test | Flexible, but the majority of services delivered on behalf of parent council(s) – function test |
| Public Service Mutual (PSM) | Variety of options: council and staff, staff and community, 100 per cent staff | Can be designed as required. Board membership dependent upon ownership. SLA/ contract with council(s). Well positioned to promote co-production | Flexible – can deliver services to councils, private or voluntary and community sector customers |
| Outsource to existing social enterprise, third sector or private provider | 100 per cent third party provider | Arranged via contract. Well positioned to promote co-production | Contracted services delivered on behalf of council(s) |
| Joint venture | Potential for joint ownership, including staff, council(s) and/ or third party provider | Can be designed as required. SLA/ contracts as required. Well positioned to promote co-production | Flexible – can be delivered to council(s) and private/voluntary and community sector customers |

153. The *LGA Handbook*²⁵ summarises the main advantages and disadvantages of moving to an Independent Trust as:

| Advantages | Disadvantages |
|--|--|
| Starting a new trust from scratch – can allow the museum or cultural trust to review, and be clearer about, its purpose/objectives | Loss of council back-office support (legal/ HR/finance). This may increase costs for these services |
| Freedom to raise income and fundraise independently (people may be more willing to give money to the trust than a council) | Museum under no obligation to respond to local agendas and becomes at risk of becoming removed from council priorities |
| May create greater awareness of full costs and give staff capacity to manage finances more efficiently | Increased pressure on museum to source alternative funds (which may not be viable) |
| Focused on delivering the vision and mission of the museum (not the local authority) | Challenge of fundraising with larger funders (eg ability to offer match/support in-kind) |
| Ability to claim Gift Aid | VAT liabilities may apply |
| Possibility of negotiating business rates relief (business rates are not charged when inside the council, but a trust could be liable) | Set-up costs can be extensive |

²⁵ LGA – Making the most of your museums – A handbook for Councillors - 2019

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APPROACH TAKEN

- M1. Members undertook this Inquiry during May 2023 – July 2023.
- M2. Members received evidence from the following internal stakeholders who attended a question & answer session:
- Cllr Jennifer Burke – Cabinet Member – Culture, Parks and Events
 - Neil Hanratty – Director of Economic Development
 - Donna Jones – Assistant Director, County Estates
 - Kathryn Richards – Head of Culture, Venues, Tourism and Events
 - Alison Tallontire – Acting Manager, Museum of Cardiff
- M3. Members visited the Museum of Cardiff and met with staff and volunteers, listening to their experiences of working in the Museum of Cardiff and views on the future of the Museum.
- M4. Members also received evidence from the following external stakeholders who attended meetings with the task group:
- Ian Courtney, Gabriella Howell, Janey Howell, Gerallt Jones, Mark Munnery, Richard Tynen – Development Trustees
 - Chris Delaney - Federation of Museums and Art Galleries of Wales
 - Dawn Gullis, Ashlea Harris, Zarah Kaleem, George Langton, Lisa Pickard, Sarah Thomas - Cardiff People First
 - Nicola Guy - Welsh Government, Culture Division – Deputy Director
 - Professor Jane Henderson – expert witness
 - Joshua Robertson - Museum Association
 - Dr Dave Wyatt - Caer Heritage
- M5. Members wrote to several key stakeholders offering them the opportunity to give their views to the Inquiry. Written responses were received from:
- Andrew RT Davies MS
 - Heledd Fychan MS
 - Rhys ab Owen MS
 - Julie Morgan MS

- Cardiff Civic Society
- Glamorgan Archives
- Royal Welsh College of Music and Drama.

M6. In addition to the above, Members considered users views via visitor survey responses and school users' feedback, as well as the consultation responses received to the Council's Budgetary Proposals Consultation.

M7. To inform the Inquiry, Members were provided with briefing reports ahead of each meeting, including the *Open Up Guidebook*, produced by the Association of Independent Museums. These have been synthesised into the report.

M8. The evidence has been used to identify suitable findings from the Inquiry.

FINANCIAL IMPLICATIONS

The Scrutiny Committee is empowered to enquire, consider, review, and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications.

LEGAL IMPLICATIONS

The Scrutiny Committee is empowered to enquire, consider, review, and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without modification. Any report with recommendations for decision that goes to Cabinet / Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal power of the Council; (b) comply with any procedural requirement

imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. standing orders and financial regulations; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

DRAFT

COMMITTEE TERMS OF REFERENCE

- To scrutinise, measure and actively promote improvement in the Council's performance in the provision of services and compliance with Council policies, aims and objectives in the area of economic regeneration.
- Cardiff City Region City Deal
- Inward Investment and the marketing of Cardiff
- South East Wales Economic Forum
- Economic Strategy & Employment
- European Funding & Investment
- Small to Medium Enterprise Support
- Cardiff Harbour Authority
- Lifelong Learning
- Leisure Centres
- Sports Development
- Parks & Green Spaces
- Libraries, Arts & Culture
- Civic Buildings
- Events & Tourism
- Strategic Projects
- Innovation & Technology Centres
- Local Training & Enterprise

- To assess the impact of partnerships with and resources and services provided by external organisations including the Welsh Government, joint local government services, Welsh Government Sponsored Public Bodies, and quasi-departmental non-governmental bodies on the effectiveness of Council service delivery.
- To report to an appropriate Cabinet or Council meeting on its findings and to make recommendations on measures, which may enhance Council performance or service delivery in this area.

DRAFT

Economy & Culture Scrutiny Committee Membership



Councillor Peter Wong
(Chairperson)



Councillor Rodney Berman



Councillor Catriona Brown-Reckless



Councillor Jane Henshaw



Councillor Peter Huw Jenkins



Councillor Jackie Jones



Councillor Helen Lloyd Jones



Councillor Jon Shimmin



Councillor Leonora Thomson

APPENDICES

Appendix 1 – Operating Models

Flintshire - a charitable, not-for-profit, organisation, Aura, is responsible for managing the majority of leisure, libraries and heritage services, including museums. Aura is owned by its employees and operates for the benefit of local communities. The company's legal model is a Community Benefit Society which means that any financial surplus generated is reinvested into facilities and services to improve the customer experience and to sustain and enhance the offer for future generations

Merthyr - Cyfarthfa Castle Museum and Art Gallery – moved from the local authority and is now operated as part of an independent trust (*Merthyr Tydfil Leisure Trust*) and is able to access large amounts of funding as it has a clear vision and focus on being a 'people's history' museum.

Merthyr and **Flintshire** are examples where the local authority established Arms-Length Trusts because they felt they would be able to seek extra monies and benefit from VAT savings, non-payment of business rates - as they are a charity – and also benefit from more trustees with more expertise. A big issue with this approach – the local authorities kept hold of the central expenditure budgets, meaning the museums had to find monies for these functions, such as HR.

MonLife – following a review of its heritage, cultural and leisure services, Monmouthshire Council decided to keep these in-house, in part because they could support its policies and it felt they provided good news stories that the Council could benefit from. The Council created a bespoke department for these services – MonLife – enabling a more agile approach. In terms of the museums, these have been successful in attracting funding, including Collections Review monies and Esmée Fairbairn funding, and have slightly increased their staffing levels.

Newport – local authority museum – is good at events - such as poetry readings and music, which are a good way to boost footfall and, in the case of the music events, attracted a slightly different audience than usual – but these events may be at the expense of a permanent gallery – their contemporary collection is exciting.

Powys - Judges Lodgings – transferred from Powys Council to a charitable trust - recently announced that it would receive more funding from regional development monies.

Powys – Newtown Museum - Council has undertaken a capital asset transfer to Newtown Museum, meaning the Museum is out of the local authority's control and is completely independent.

RCT – the Council decided to transfer responsibility for operating the museum to an independent trust, enabling it to access community funds not available to the Council – such as the Landfill Tax monies. The Council retains ownership of the buildings and collections; if the trust fails, the responsibilities fall back to the Council.

Swansea – is a good example of a museum benefiting from their proximity and relationship with the National Museums – not feeling threatened by it but using it to maximise co-location.

Tenby Museum has always been independent but is based in a council building, with a peppercorn rent and the Council meeting maintenance costs via a capital grant. The Council is now transferring the building and grant to the Museum. These transfers are taking place as it is easier for independent museums to tap into

other monies but only if they have control of the building and other monies as well, as funders look for collateral to support bids.

Wrexham – a good example of local authority museum doing well – they have had a consistent focus – they identified strengths and worked on these – football, industrial history – and prioritised collections relevant to these strengths and identified appropriate funding e.g., National Lottery

DRAFT

Appendix 2 – Synopsis of Research

Key Points from published reports/ articles:

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Income Generation:

List of ideas in articles below:

1. Events – music, gastronomy, theatre, movie nights, annual calendar of events
2. Café/ Catering - social visits, private and corporate hire, weddings,
3. Retail – gift shop, pop-up seasonal shop
4. Filming –
5. Commercial mindset – and targets for staff
6. Venue hire – corporate away days
7. Group Visits
8. Tours
9. Photo Shoots
10. Copyright and licensing
11. Overnight visits
12. Gala/ black-tie fundraisers
13. Day Lockers
14. Donations – improving these
15. Specific Gallery trails
16. Online income generation
 - a. Retail sales
 - b. Charge admission for special events/ Premium online offerings
 - c. Introduce virtual membership level/ benefits
 - d. Develop virtual courses/ summer camps
 - e. Online ‘gala’ fundraiser
 - f. Develop ‘pay-what-you- want’ model
 - g. Artefact adoption
 - h. Visitor donations
 - i. Commercial sponsorship
 - j. Web advertising
 - k. Staff Interactions

[Generating Income at Museums - Welcome to PSC - Tourism Consultants \(pslplan.co.uk\)](https://pslplan.co.uk)

Taking the time to identify and develop an institution's assets provides a deeper level of understanding of where to focus resources and efforts.

- **Audience research** and segmenting gives visitor experience and marketing teams an invaluable insights into visitor behaviour, this is essential when developing the visitor offer to create a museum experience people want to visit and revisit.
- **Events** can drive additional sales but require careful budgeting and consideration before committing time and resources. Investing in bigger, more memorable events can be more effective if the museum has the skills and capacity to deliver a quality experience on a larger scale. Venues are exploring opportunities to diversify into the **arts, licensing venues for evening music, gastronomy and theatre events**. Some events may only just break even, but with the objective of attracting new audiences to see a future benefit. In our experience developing a successful **annual calendar of events** takes a number of years to establish. Also, to de-risk the event, partnership opportunities should be explored in terms of delivery, marketing and ticket sales. There are also considerations in terms of marketing the events and impact on the day-to-day operation of the museum itself.
- The **expectations of visitors are also changing**. Museums (and other attractions) are becoming a destination for segments of visitors seeking a social visit, enhanced by a superior catering service. Having the **right catering offer** in the right place is key, encouraging visitors to increase their dwell time and secondary spend. Themed restaurants create experiential dining, with visitors often prepared to increase their expenditure for interesting or sustainably sourced, local produce. Catering can be managed in-house or by a third-party specialist provider. Partnership with celebrity brands can also drive footfall, for example the River Cottage Deli and Botanical Bar at the Imperial War Museum on HMS Belfast.
- A quality **catering** offer also creates greater demand for **private and corporate hire**. Exclusive site hire for **weddings and private parties** can be a fantastic way to increase revenue but a clear understanding is needed of how any secondary business will impact on the core operations of the museum.
- The development of a bespoke **retail offer** can be a significant investment but with the right design team, it can complement the brand, reinforcing its values and boosting spend per head. Creating product ranges around current exhibitions reduces seasonal fluctuations in demand and generates continued interest. It is also important to consider online sales to engage with audiences who may not necessarily visit the museum in person.
- **Filming** creates significant income for organisations such as The National Trust. The revenue from costume dramas and films can bring substantial revenues. For other venues, hosting television programmes like The Antiques Roadshow can boost revenue and visitor numbers (and help to raise the profile of the destination).
- There are other revenue streams such as **corporate and social functions** through to **membership schemes**

[Income-Generation-and-Fundraising-for-Museums.pdf \(sharemuseumeast.org.uk\)](https://sharemuseumeast.org.uk)

Epping Forest District Museum – housed in a Grade II listed Tudor building in Waltham Abbey – *'The management team have embedded a **commercial mindset** by including discussions about income generation in team meetings and individual reviews. Income generation **targets** are set where appropriate. Staff are encouraged to put forward ideas for projects and activities that might support income generation and to look outside the museum for fundraising best practice that could be adopted by the organisation. This whole-organisation approach to income generation has been key to its fundraising success'*

Developing Retail Offer:

- Ask independent volunteers to conduct ‘mystery shopper’ visits to your shop to find out if the layout and retail offer could be improved.
- Keep a detailed stock inventory and weed out any items that do not sell well. Stock that is stuck in cupboards is just taking up room and not making you any money.
- Ensure you have a balance between low- and high-priced items.

[Income Generation in London’s non-National Museums FINAL \(museumoflondon.org.uk\)](https://www.museumoflondon.org.uk)

Museums generate income from a range of sources including core funding, grants, trading, contracts, fundraising, membership schemes, admission fees, corporate sponsorship and investment income. The balance between each of these sources differs depending on the museum’s scope and collection

- **Income from trading**, such as gift shops, cafes and online retail, venue hire, group visits, tours, weddings, filming and photo shoots

- **income from copyright and licensing** of their image - *‘One museum interviewee, for example, described receiving a grant from the Esmée Fairbairn Foundation to document the strong collection of glass lantern slides that they own. The interviewee is looking into a partnership with the Royal Geographic Society and the Bridgeman Art Gallery, and noted that the reproduction rights that result from documenting the slides could generate income. Recent changes in another museum to IT restrictions have freed them up to exploit the online market: the museum is in the process of scanning images for a 3D image library (the three staff employed to work on the project are funded by a corporate sponsor) which the interviewee anticipated would lead to increased income from the sales of online images.’*

[Income Generation in Museums - creating a better visitor experience while raising revenues - Museums + Heritage Advisor \(museumsandheritage.com\)](https://www.museumsandheritage.com)

Hosting Events - Birmingham Museum & Art Gallery – Grade II listed building in centre of town – competitive prices and high standard of catering and marketing – receptions, banquets, parties and launches

Pop-up seasonal shop – Museum of London - 6 weeks from mid-November to end of December – seasonal products and gifts, local creatives – commission on sales

[How museums can generate revenue through digital content and virtual experiences - CultureHive](https://www.culturehive.com)

Ever since the COVID-19 pandemic forced museums of all kinds to close their doors, many have responded by shifting their attention to engaging audiences through virtual and remote channels. Through social media initiatives, virtual tours, [live-streamed events](#), and an array of digital content, cultural organizations have made substantial [efforts to expand their digital offerings](#) throughout the period of lockdown.

As museums look to generate revenue through virtual initiatives, here are six ideas to consider:

1. **Charge Admission for Special Online Events** - charge a fee for digital events, and for “virtual museum tour” e.g., [Hastings Contemporary](#) and the [Van Abbe Museum](#) , and include the option to purchase [discounted bundles of merchandise](#) from the museum store
2. **Introduce a virtual membership level/ benefits** – also helps to incentivise new membership and creates long-term loyalty of existing member base e.g.
 - [National Steinbeck Center](#), offers a virtual membership level, which provides an interactive, content-rich way to experience the museum remotely.
 - [Seattle Museum of Art](#) offers a (now-virtual) [special members-only lecture series with its curators](#)
 - [Virginia Museum of Fine Arts](#) has also begun special “Cocktails with the Curator” virtual sessions for its “Friends Circle” members and higher
3. **Develop virtual courses and summer camps** - e.g.
 - [Denver Museum of Nature and Science](#) - virtual science class for students and school classes
 - [Children’s Museum of Pittsburgh](#) has begun a series of week-long [virtual camps](#)

4. **Plan an Online Fundraiser or Gala** – e.g.
 - [Institute of Contemporary Art Boston](#) held its first-ever [Virtual ICA Gala](#)
5. **Try a ‘Pay-what-you Want’ model** – to address concerns about accessibility and/ or alienating audiences.
 - [National Museum of African American History and Culture](#), for example, is hosting "Yoga for Black Lives Matter"
 - [Phoenix Art Museum](#) created a similar program, establishing a “pay-what-you-want” approach for virtual events like live storytelling and guided meditation.
6. **Monetise special interactions with staff** - create opportunities for special interactions with staff and other experts, like curators and artists

[How Are Museums Making Money Online? - MuseumNext](#)

Pre-Covid (not virtual):

Overnight Visits - offered overnight stays to visitors who are willing to camp out on their premises, some theming their provision on a ‘Night at the Museum’ model.

Gala or so-called black-tie events - where paying guests might attend a dinner and dance, either on the institution’s premises or elsewhere.

Virtual:

Artefact Adoption - patrons adopt particular items in a collection - suited to both in-person and online revenue generation. e.g., RAF Museum which is now successfully running a fully digitised [adoption scheme](#) for its many historic artefacts.

Virtual Visitor Donations - ask visitors to make a donation so that can continue to provide their services freely e.g., Wikipedia.

Commercial Sponsorship for Online Content – provide virtual content for free but promote a commercial sponsor. This sort of model will offer an advantage over donations, whereby income streams can go up and down outside of your control. Essentially, striking a deal with a commercial sponsor will allow you to budget more easily because you will know in advance how much your sponsor is willing to pay for the level of sponsorship on offer.

Of course, choosing sponsors is not without controversy. Several large public institutions have come under fire for commercial sponsorships with oil and gas companies in the past, of course. Big pharmaceutical companies have sponsored wings of galleries and both temporary and permanent exhibitions and these decisions have meant protests as well as disruption, in some cases.

Premium Online Offerings - sell virtual tickets to premium online offerings/ limited edition content in advance, with the rest of online content free to view, whether it is sponsored or not. i.e., majority of content is free and operates as a loss leader – as commercial operators tend to refer to it – then specially curated online content can be charged for. This sort of income stream can build, too. As you get used to what your paying audience likes to see, so you will be able to adapt your style to their preferences. In many cases, it will be possible to enjoy plenty of word-of-mouth recommendations that ensure future paid-for content becomes more popular. Typical premium online offerings would include access to behind-the-scenes operations, virtual gallery tours of newly curated content and even games and activities that support the learning of your freely available content.

Web Advertising - web advertising is put in place according to the surfing history of your visitors. Typically, these ads are run by services from Google and others. The more visitors you have to your site, the more such web advertising will generate in terms of revenue. That said, there is necessarily some compromise that will be needed for the look and feel of your museum’s website.

Virtual Fundraising Events - A good example is the Manhattan-based Museum of Arts and Design which hosted just such an event, featuring a number of virtually live performances last year.

Online Staff Interactions - Chatting to educators, curators and other museum staff - add greater context to the various displays and personalise the experience and make it much more meaningful. Setting up online interactions with staff will mean a proper booking system needs to be put in place e.g., zoom or What's App.

[5 Pretty Simple Ways to Increase Your Museum's Revenue \(museumhack.com\)](https://www.museumhack.com)

Day lockers for the win - Purchasing just a few coin-operated locker units from your local hardware store will not only provide an extra convenience for your visitors but also add a small, no-maintenance revenue stream to your museum. Here's how much a museum could earn with just 10 day lockers rented twice a day at \$1 each:

- 10 x \$1 = \$10
- x 2 rentals per day = \$20
- x 7 days a week = \$140
- x 52 weeks a year = \$7280

Make donating easy (and fun) -

- invest in eye-catching donation boxes throughout your displays to gently encourage visitors to contribute when they're enjoying your museum the most.

E.g., The [Pitt Rivers Museum](https://www.pitt-rivers-museum.org.uk) spent £3,000 on a unique donation box with automated carved wooden figures that point and stare as visitors approach, encouraging them to donate into a copper bowl. When money is dropped inside, the figures bend over to inspect it. This unique donation box has more than paid for itself, and collects £4,000 to £5,000 per year

- Could you turn your donation box into a display, activity or learning experience?
- Can your museum accept donations via card or online?
- What about different currencies?

Become the coolest venue on the block –

- **Private Events** - corporate away days, to weddings, to photo shoots. This revenue stream isn't completely maintenance free – it'll require some staff time to sell the space, coordinate bookings, and arrange any necessary operational details. Added bonus on top of the cash: it's free advertising that encourages event attendees to come back as visitors.

Try out some trails –

- Develop a great gallery trail that sell to visitors - provide a new narrative or interpretive layer that might not be fully explored in your existing exhibits, tours, and audio-guides. They are particularly useful for engaging an audience who isn't specifically catered to in your exhibit interpretation, such as children, teens, or any visitor with a specific subject interest.

Host a movie night - does your museum have a lecture theatre or a room with a projector and some chairs? It could be the coolest new movie theatre just waiting to be discovered. Grab a few bags of popcorn, pick an old movie that suits your museum's audience and theme (be sure to check copyright permissions), and start selling tickets!

[Museums and New Business Models – The Association For Cultural Enterprises](https://www.culturalenterprises.org.uk)

Sale of Museum -related products - produce products such as jigsaw puzzles and face masks. e-commerce presents opportunities to develop sustained relationships with external audiences. Requires a shift in thinking *from souvenir-focused merchandise to creative ways for audiences to engage with museum collections* beyond their walls. Moreover, they have the capacity to increase income streams while expanding meaningful learning opportunities.

Sale of digital content, stories and experiences - need to shift digital storytelling techniques from ones replicating in-person experiences (such as online catalogues and virtual exhibitions) to more dynamic forms of digital creation for which visitors are willing to pay. This may include *narrative-driven content, bespoke curator tours, or live events* like virtual escape rooms. The second is to find appropriate methods of commercialising such content, an approach sometimes at odds with long-standing attitudes within the sector of maximising access. E.g., The Met Unframed, a time-limited experience at the Metropolitan Museum of Art, New York, which encompassed animated artwork, interactive games, and virtual loans that allowed the visitor to experience the museum in new ways. The Met Unframed was free (sponsored by commercial partner Verizon), but the experience could easily be monetised through ticketing or charging for additional extras, such as the loan of virtual artwork (similar to in-app payments). This could be a single payment or provided as part of a digital membership scheme.

Building digital communities - an extension of traditional museum membership schemes, which typically incentivise repeat in-person visits through perks like free exhibition entry. *Subscription platforms* such as Patreon bring together geographically dispersed communities around digital content creation. While creating special content for those willing to pay a fee may appear exclusionary, it is *arguably less elitist* than member lounges and exclusive receptions, which are often a feature of membership schemes. Such digital communities can reduce barriers of physical and social capital to an actual museum space (although it could also erect barriers to those without Internet access), shifting emphasis to supporting a museum's cause. This could create a broader community of supporters, providing an additional regular income stream.

Collaboration is Key - The development of off-site revenues relies on convincing visitors they can meaningfully connect with a museum without being on-site. This can be achieved by engaging audiences through sustained off-site retailing, engaging and exclusive digital content, and digital membership schemes that provide a sense of community. The resources needed to achieve such diversification may be daunting, but it also presents opportunities to collaborate with entities across the creative economy, such as startups, universities or other museums. .. These off-site strategies are not designed to detract from the experience of visiting museums, but to encourage the creation of meaningful experiences that can be delivered beyond their walls, in order to expand audiences and generate the resources needed to ensure their future financial resilience.

Fundraising

List of ideas in articles below:

1. Trust and Foundations
 - a. Specific to museums and heritage
 - b. Specific to particular groups
2. Individual Giving
 - a. Major Donors
 - b. Supporter groups
 - i. Membership/Friends
 - ii. Patrons
3. Gifts in Wills/ Legacy Giving
4. Donation Boxes & Cashless Donations
5. Public Funders
6. Postcode Lottery – organised into separate regional trusts.
7. Landfill Communities Fund (via Entrust)
8. AIM
9. The Architectural Heritage Fund which focuses on acquisition, reuse or redevelopment of buildings which are of historic or architectural important
10. The NESTA Arts Impact Fund.
11. Crowdfunding
12. Public Giving Campaign
13. Online Giving
 - a. Via tickets – if get Gift Aid
 - b. Via online giving platform – Charities Aid Foundation, Just Giving, Donor Box
 - c. Encourage regular giving
 - d. Crowd funding
14. Gift Aid

[Successful Fundraising at Museums - AIM - Association of Independent Museums \(aim-museums.co.uk\)](http://aim-museums.co.uk)

*'For the purpose of this guide, we are defining fundraising as the creation of **philanthropic revenue or capital investment**. We are not therefore including activities that are better defined as income-generation, generally the sale of goods or services (including admissions). Some activities, such as membership, blur the lines of this definition but are included because of the role they can play in the cultivation of supporters'*

'...current economic challenges may make it even more difficult to achieve hoped-for results. The temptation may be to do nothing and wait until times improve. That would be a grave mistake. Now is the time to be investing in relationships, ensuring your systems and processes for fundraising are in place, and communicating confidence in your museum's future path.'

'There is still money to be found for well governed, resourceful organisations with robust plans and projects, who build strong, respectful relationships and ask for funds at the right time and in the right way'

What do you need to Fundraise?

- Effective leadership and governance structures
- A clearly articulated purpose
- A robust business plan laying out current and future aims and detailed, realistic propositions to achieve them
- A financial plan proving sustainability, or progress towards it
- External evidence to support the need for the organisation, its work and any projects to be funded
- A case for support which draws on all the information above to answer the question 'why should this museum be supported?'
- A fundraising strategy developed with professional expertise if possible
- An internal team of people, staff and/or volunteers, who have time to dedicate to fundraising and understand the roles they play
- The support of its community – especially volunteers and members who can act as advocates
- Established ways to communicate with its community and wider audiences
- Systems to manage data, track relationships and plan/monitor actions
- Financial processes to accept, monitor and report on funds received.

Prioritise:

- Trusts and foundations
- Individual giving – from major donors and from supporter groups, e.g.: members
- Gifts in wills
- Donation boxes.

Public Funders of Museums in Wales:

- National Lottery Heritage Fund
- Welsh Government Culture Division
- Cadw
- Local authorities (e.g., Section 106, Community Infrastructure Levy)

Identify trusts:

You can use a subscription search engine such as the Directory of Social Changes' Funds Online or the free Heritage Funding Directory, managed by The Heritage Alliance and the Architectural Heritage Fund.

Major trusts who regularly give to museums and heritage organisations:

- Garfield Weston Foundation
- Wolfson Foundation
- Esmée Fairbairn Foundation
- Foyle Foundation
- Pilgrim Trust

Other Trusts:

Trusts who fund projects that deliver outcomes to particular groups of beneficiaries, e.g.: the elderly, young people with learning disabilities, young carers etc. *These trusts will be useful in funding your social impact, learning and community work but won't necessarily have a history of funding museums.*

Members, friends and volunteers:

friends or membership scheme - low-cost programmes - based on multiple admission benefits plus additional events and possibly discounts. If museums use an 'annual pass' form of Gift Aid ticketing, the benefit of membership programmes can be compromised (both to the organisation and to the member) and care needs to be taken to ensure they remain profitable and appropriate to the motivations of the members. Also, they can present a risk that such a generic approach satisfies no one. Regularly surveying friends/members to be sure of motivations and preferences can help ensure a membership programme remains relevant to its members and worthwhile for the museum.

Higher level membership programmes, often referred to as Patrons, need to be established with great care. As described below, major donors (often the same people) need to be treated as individuals and trying to herd them into a 'scheme' may not be the best way to cultivate relationships.

When launching a fundraising appeal, the best starting point is with those closest to you – your members, friends and volunteers. They are already committed to the organisation. However, just because they are already involved and have shown that they care about the organisation, doesn't mean they will feel minded to give to an appeal or capital campaign. You will need to ensure you bring these people with you as you develop plans for the future; that you keep them informed of progress; and that you listen to their views about the museum's direction and plans. Newsletters and virtual briefings are great ways to engage these supporters, and the occasional survey in which you investigate their motivation for support as well as their satisfaction with the organisation, can be extremely useful. Being able to talk to them individually at events is invaluable. Don't ask supporters for money too often. In addition to friends/members subscriptions, it might be appropriate to run an appeal in alternate years.

Major donors:

A major donor is someone who makes a sizeable gift to the organisation. They may or may not be a friend, member or volunteer. They need to have both the capacity and the motivation to give – just being rich isn't enough. When attracting new donors, it will help if there is a personal connection to the organisation – hence the important role trustees can play in introducing people. Cultivation and stewardship need to be personal and tailored to each individual to enable them, and you, to build a close relationship. Do not rush to ask a potential donor to give their support but allow time for the relationship to develop. You are much more likely to get a positive response, and potentially a larger gift as well. Examples of opportunities to develop these relationships include:

- Behind the scenes tours
- Opportunities to meet experts before or after a larger event, e.g.: a lecture
- Identifying and sharing an object or collection of particular interest to the donor, e.g.: local to their home
- Coffee, tea and lunch meetings.

Business:

There has been a steady decline in corporate giving in recent years - Corporate membership has been badly hit during the pandemic - Business sponsorship continues to benefit London-based museums disproportionately.

Need to consider two questions: Once you have factored in the benefits (in resource and cash) you will need to deliver to the sponsor, and taken into account a realistic income, is a sponsorship likely to be profitable? Would the time you spend approaching, negotiating with and then delivering to a sponsor be used more profitably pursuing a different fundraising avenue?

Other:

- Postcode Lottery – organised into separate regional trusts.
- Landfill Communities Fund (via Entrust)
- AIM
- The Architectural Heritage Fund which focuses on acquisition, reuse or redevelopment of buildings which are of historic or architectural important
- The NESTA Arts Impact Fund.

Gift in Wills:

Need to offer guidance to supporters on why and how to make a gift in their will and use all communications channels sensitively but consistently to reinforce the message that gifts in wills are essential to the future of the museum.

It helps to have a legacy policy, approved by trustees and describing how unrestricted legacies will be allocated. It can be off-putting if a potential donor thinks their money will be spent propping up the revenue budget – indicating that funds will be allocated to conservation, acquisitions, education or a long-term invested fund to create revenue will be much more appealing.

On-line Giving:

- Via tickets – if get Gift Aid
- Via online giving platform – Charities Aid Foundation, Just Giving, Donor Box
- Encourage regular giving
- Crowd funding

Onsite Giving:

- Donation boxes
- Cashless donations – text, QR codes

Gift Aid:

Charities can apply to HMRC to register for gift aid, which increases the value of donations from individuals by 25%

[Income-Generation-and-Fundraising-for-Museums.pdf \(sharemuseumseast.org.uk\)](https://sharemuseumseast.org.uk/Income-Generation-and-Fundraising-for-Museums.pdf)

Case studies from East English Museums including:

Donations:

- Consider what compelling and timely reason you can offer to encourage people to donate, for example a birthday or an anniversary of something related to your collection.
 - Think about what will motivate people to donate to your cause.
 - Put out a strong, compelling message to potential donors and be clear about how people can donate.
- e.g., Museum of East Anglian Life – designed a piggy bank to look like a heritage breed at the museum, visitors encouraged to ‘adopt’ a pig for £5, take it home and ‘feed’ it and return to the museum when full.. £16, 000 target – achieved £11,500 within first few months of scheme.

- Position your donations box somewhere that is uncluttered, so the box is easy to see and access. Perspex boxes work well as visitors are more likely to make a donation if they can see money in the box, and if they see notes, they are more likely to give notes.

Giving:

- Suggested giving amounts make it easier for donors to give, can motivate donors to give more, and help people understand the impact their donation will have on your organisation and those your organisation supports. Offering defined choices, or suggestions, also gives donors a better understanding of what might be considered a small or larger contribution.
- Using an online giving site which shows how much other people are donating can drive up average donations as people will look to see what others are giving and usually give a similar amount.
- Monitor the amount individual donors give and, if required, alter the suggested giving amounts. For example, if you find people tend to give much more than your lowest suggested amount, you might increase this amount.

Legacy giving:

- Have a leaflet or a page on your website promoting legacy giving, sensitively targeting your existing supporter base – they are the people most likely to want to leave you a gift in their will.
- Distribute your legacy giving leaflet to local solicitors' offices. When people go to make a will, the solicitor may ask them if they have considered leaving a gift to charity. Whilst they can't make any specific recommendations, they can offer local charities' leaflets to browse.
- There are a lot of misconceptions about legacy giving. It is worth finding out how to promote legacy giving well. Get the facts and find out how it works by attending training or from books and online resources on the subject.

Crowdfunding:

- People need to care about your crowdfunding campaign. You are more likely to get donations if you present a real, tangible problem that donations can solve or if you create a product that people want to support.
- Perks, or rewards, are vital. These do not have to be hugely costly. What can you offer to encourage people to donate?
- Start raising awareness before you start the campaign and, once running, make the campaign a high priority. Crowdfunding campaigns should preferably be around 6-8 weeks, and definitely no longer than 3 months. Short timescales help campaigns to maintain a sense of urgency and make it easier for staff and volunteers to sustain momentum.

Public Giving Campaign:

- A celebrity endorsement can make a huge difference to a public campaign, further legitimising the ask and widening your audience.
- It is important to keep people interested in your project. This is why it is a good idea to build a relationship with your local press and plan regular press releases to share information and updates as the project progresses.
- A clear social media strategy is imperative in engaging audiences and creating a buzz around your project.

Admission Charging

[Income Generation in London's non-National Museums FINAL \(museumoflondon.org.uk\)](#)

Income from admission charges is **not as important for museum finances as might be expected**. ..Most of those museums that have admission charges charge for general admission (20 out of the 26 that charge) - 11 respondents said they charge for admission to special events and exhibitions. 4 museums have a friends or membership scheme, which gives free entry in three of the museums and a reduction to the entrance fee in the fourth. Two of the charging museums offered free entry with a National ArtFund Pass, and one with a London Pass.

[A112 Executive Summary: Taking Charge - Evaluating the Evidence \(aim-museums.co.uk\)](#)

KEY FINDINGS

- ♣ There are no defining characteristics that distinguish charging or free-entry museums, and the picture is much more complex than often assumed, since one in three independent museums are free-entry and one in three local authority museums charge for admission.
- ♣ There is **no direct link between the diversity of audiences and whether a museum charges** for admission or not, with the pattern in terms of social mix being very similar. However, **such a finding needs to acknowledge that the general social mix of museum visitors is not always representative** of the wider social mix within their communities.
- ♣ **Donations** are more affected by a range of other factors than by whether museums charge for admission or not.
- ♣ There is **no consistent relationship between levels of secondary spend and whether a museum charges admission**, with other factors having much more influence. However, some evidence has emerged showing visitors to charging museums are more likely to have visited the shop (or used on-site catering), than visitors to free-entry museums.
- ♣ **Dwell times are typically longer** for museums that charge for admissions.
- ♣ The process of **charging creates a focus for the visitor welcome and captures information about visitors**. Where museums are free entry, alternative approaches are required for these elements.
- ♣ In making any changes it is especially important to communicate clearly with stakeholders and the local community about the reasons for the changes and to ensure that staff are positive and confident in explaining them to visitors.

Audiences

[Understanding Your Audiences 2020 \(aim-museums.co.uk\)](https://aim-museums.co.uk)

Understanding your audiences, **knowing who they are**, their visit behaviour, their motivations, their needs and expectations, brings a huge amount of insight into helping you to make your organisation resilient. **Knowing who isn't engaging with you**, but who has the potential to become a visitor, is also important in being able to build and diversify your audience base - why don't they visit at the moment and what would encourage them to do so

To understand audience, need a mix of data e.g.,

- quantitative data -
 - compare **visitor demographics** with those of your local population to see if you reflect these characteristics e.g., age, gender, ethnicity, disability, economic status, life-stage, public health issues, deprivation indices);
 - look at **national data** on the percentage of people in the UK who visit museums, galleries and heritage sites to give context to your overall potential market – 'Taking Part' annual survey DCMS/ Welsh National Survey, Census etc.
 - look at Local Authorities and Clinical Commissioning Groups (CCGs) within the NHS **local population statistics** to understand key issues facing the people who live close by, such as levels of deprivation and public health and wellbeing.
- Qualitative data –
 - **Visit behaviour** (frequency, length of visit, who they visit with, what they go and see, how much they spend)
 - **Attitudinal and motivational information** (e.g., what their motivations are for visiting, such as social or educational, or their attitudes to specific elements of a visit);
 - **Geoanalysis and geodemographic** profiling (a way to classify types of customers based on the sorts of residential areas they have been drawn from using postcodes, e.g., CACI's ACORN and Experian's MOSAIC);
 - **Area Profile report from the Audience Agency** – have to pay - detailed summary of data relating to a catchment area (based on your selected drivetime area) and the demographics and cultural engagement of the people who live in it
 - **Segmentation models** that use a mix of these approaches with an emphasis on cultural and arts profiles

How to get data - from your existing visitors and your potential audience as well

- Face to face surveys
- Staff counts / clickers
- Observational research
- Online surveys
- Feedback walls with focused questions
- Focus groups
- 1:1 telephone interviews
- Advisory panels
- Journey mapping
- Voting mechanisms - e.g., put a tick against your favourite exhibition idea, put a ball in a bowl, sticker on a list
- Creative feedback - e.g., draw a picture to reflect your experience

Low or no cost ideas to try:

- **Have a conversation** - talk to your audiences, listen to their answers and factor these into your decision-making
- **Feedback walls** - these work well when you prompt feedback by asking a well-planned question and change it regularly
- **Ask another local venue** if you can set up a stall to talk to their customers about your programmes - try the local library for starters, they could be a good source of potential visitors
- **Collect postcodes** from your visitors at your admission point, collate and analyse them on a regular basis to build a picture of where your visitors come from over a year.
Use www.openaudience.org to analyse your postcodes for free
- **Organise a focus group** or discussion with your target audience - go to a venue where they already congregate (with the venue's permission!) and be ready with your questions, e.g., talk to parents and carers at a soft play centre, go to a teachers' network meeting, go to a knit and natter group, talk to a youth theatre group.
- **Use an online survey** service such as <https://www.surveymonkey.com> or <https://www.quicktapsurvey.com> and send a questionnaire to your database or seek permission from other organisations so they send a link to their database too so you can consult potential users as well as your own users

Interpretation and Displays

[AIM-Succes-Guide-Museum-Displays-and-Interpretation-FINAL-smaller.pdf \(aim-museums.co.uk\)](#)

Interpretation is the way that we connect visitors or audiences to our historic places and collections, it is how we communicate stories and ideas about our heritage. By reviewing and considering our interpretation we can promote equality and inclusivity. The AIM Hallmarks say we need to *'develop and understand our collection, identify missing perspectives and histories and use them to encourage debate and discussion'*

In order to create successful interpretation, we need to understand our audiences and the heritage that we wish to interpret

We need to know what current visitors like or don't like. This information can be obtained through surveys or by chatting to visitors in the museum. A focus group can help to gain more nuanced responses and answers to specific questions.

To learn about new audiences, we need to ask and listen to a wide range of views. Ideally, this should be done early on in the planning process, and at regular points through the design stages. This can also include people with particular needs or interests.

Co-curation takes audience engagement further and invites people to come on in and help us design and interpret our collection. True co-curation is about giving equal control and decision ..Derby Museums use a toolkit called Human Centred Design which provides ideas and new ways to involve people in the design process.

Museums and public places are required to provide equal access for everyone. The Equality Act 2010 makes it unlawful to treat disabled people less favourably than others. Museums must make reasonable adjustments to how people access the building and services. Any new interpretation should consider the needs of disabled people. Access is not just about access for people with disabilities, other things to consider are people of different ages, language and varying resources, such as financial and time constraints.

Planning for the future

[Future Proof Museums - Arts Marketing Association \(a-m-a.co.uk\)](#)

Future Proof is a change-programme to improve resilience of museums across England.

[Future-Proof-Museums-notebook-WEB-SPREADS-1-2.pdf \(culturehive.co.uk\)](#)

Resource with useful questions for museums to ask about their sustainability and how to adapt.

[Future-Proof-Resource-WEB.pdf \(culturehive.co.uk\)](#)

Provides advice and tools to test and review new business model and income generation ideas, including:

Creating a business case – examples and exercises re:

- Delivering on a vision
- Is it desirable?
- Is it feasible?
- Is it viable?
- Opportunity costs

Case studies cited:

- Eden Project
- Battersea Arts Centre
- National Justice Museum
- Derby Museums
- Harris Library, Museum and Art Gallery
- Manchester Jewish Museum

[Future-Proof-Museums-Royal-Pavilion-and-Museums-Brighton-and-Hove.pdf \(culturehive.co.uk\)](#)

One Example of Future Proof approach – Museums - Brighton & Hove – illustrates different approaches needed for different museums in Brighton & Hove and how Future Proof helped with this.

[Review of Amgueddfa Cymru \(gov.wales\)](#)

This is the review cited by Trustees – Dr Simon Thurley’s review. Relevant findings to this Inquiry are:

1.2 The Welsh Government, under successive ministers, has recognised the importance of the Museum and of culture in its widest sense to Wales. The **Wellbeing of Future Generations (Wales) Act 2015 placed culture at the heart of decision-making** about the future of the nation. Most recently in its culture statement ‘Light springs through the Dark’ the Government has reiterated the benefits that Wales gets from both public and private investment in culture. Museums are seen to play an important role in this. Wales was the first country in the UK to publish a museums strategy in 2010 and two years ago a review was undertaken into local museum provision.

1.4 At times such as these it is **vital that funders and funded work closely** together to well defined and publicly articulated objectives. It is important that there is an appropriate division between policy and delivery; clarity over the technical framework within which objectives are delivered; assurance that the capability to deliver is sound; that a robust, but not suffocating, performance management system is in place; that feedback from users and employees is transparent and actioned appropriately.

Relevant recommendations include:

2. The National Museum Cardiff should **work much more closely with Visit Wales, Cardiff City Council and the Welsh Government** to position itself as a key part of the offer for tourists to Cardiff City Region.
6. The Welsh Government and Amgueddfa Cymru **develop a shared 10-year vision for Amgueddfa Cymru with a five-year focus and three year funding agreement.**

12. I recommend that Amgueddfa Cymru in future **charges for special exhibitions, establishes an appropriate customer relationship manager (CRM) system and a membership scheme** as soon as possible.

14. Assuming the Welsh Government agrees flexible commercial freedoms for Amgueddfa Cymru, the Museum **appoint at Executive Board level a commercial director** at a salary that will attract a person of high calibre and wide experience of visitor attractions.

15. The new commercial director introduces appropriate **charging regimes, CRM systems, membership schemes and management improvements in catering and retail** to expedite and develop the Museum's commercial offer.

16. Amgueddfa Cymru reviews its **donations strategy, improves the physical infrastructure of donation boxes, and investigates ways of making an appropriate face-to-face ask** at each of its sites.

Wider Overview - Economic Impact etc.

National Museum Directors' Council - Written Submission to House of Lords Communication and Digital Select Committee Inquiry – A Creative Future - Sept 22

committees.parliament.uk/writtenevidence/111114/pdf/

Extracts:

As a **major employer in the creative industries**, museums are well placed to advise on and shape a creative future

The potential for **growth in the creative industries** sector is clear. Independent economic modelling laid out by Creative UK demonstrates that by 2025, the UK's creative industries could contribute £132.1 billion in GVA – more than the financial services, insurance and pension industries combined. The sector is also poised to create 300,000 new jobs by 2025.

Within the creative industries sector, **museums are particularly high generators of income for the wider economy**. According to Creative UK, prior to the onset of the Covid pandemic, for every £1 museums, galleries, and libraries contributed directly in GVA, an additional £4.40 was generated in the wider economy through supply chains.

Museums are a catalyst for economic development and scientific advancement, a major draw for tourists, an egalitarian community space, and the inspiration for current and future generations of pioneers, designers and community leaders. They preserve, protect and promote some of the UK's few irreplaceable assets: the nation's collective memory, knowledge and history.

Their submission covers the increasing digitisation of museums, the need to improve accessibility, the need to address climate change, the need to address collections and who owns cultural heritage, the need for investment and stable multi-year funding, the need for support for creative subjects at school and in higher education and the need for partnership working.

LGA briefing – Debate on local museums, Westminster Hall, House of Commons 7 March 2018

[Debate on local museums, Westminster Hall, House of Commons, 7 March 2018](#)

Key Messages:

- Councils are the biggest public sector investor in culture, including museums and galleries, spending over £1 billion per year, despite reductions in council funding from central government. There are 350 local authority-run museums in England, and more are supported through grants or contracts.
- Councils recognise the valuable role that museums play in helping to create places where people want to live, work and visit. This includes **attracting tourists, involving residents in local heritage, providing volunteering opportunities and valuable outreach work that can, for example, support older people's wellbeing.**
- Councils report particular **challenges with raising capital funding** for major projects and developments, as well as simply maintaining the historic buildings which often house collections. This is compounded by increased competition for external funds and difficulty in finding match funding.
- The LGA's survey of museums found that many councils identified European funding as a source of existing or potential income. The Department for Digital, Culture, Media & Sport (DDCMS) must consider the impact of Brexit on the local cultural sector, and whether alternative provision needs to be made.
- In order for local arts and cultural services to continue to thrive, we need the Government to recognise the need for investment in these services, to advocate the economic and strategic value of museums cultural services, and to steer national policy in a way which reinforces collaboration between sectors, and between national and local museums.

Senedd report on pandemic impact on heritage & museums 2020

[cr-ld13401-e.pdf \(senedd.wales\)](#)

Recommendation 3. The Welsh Government should ensure that museums, archives and heritage sites are **adequately resourced**, in terms of expertise and infrastructure, **to provide digital access** to, and online engagement with, their collections.

Recommendation 4. The Welsh Government should **draw up a strategy for increasing digital access** to our collections which is:

- planned, properly funded and visionary;
- developed alongside education providers to deliver the National Curriculum; and
- Recognises the benefits to mental and physical health and seeks to deliver outcomes for the National Health Service.

Recommendation 5. The Welsh Government should revise the way in which funding is decided for museums, libraries and heritage sites to **take into account increased digital delivery** and compensate for reduced commercial income

Recommendation 7. The Welsh Government should set out how any additional funding for the cultural sector will be used to **mitigate social exclusion and increase access** to our heritage sites, libraries and museums

[gen-ld13469-e.pdf \(senedd.wales\)](#)

Relevant Extracts from - Written response by the Welsh Government to the Senedd Report above:

Recommendation 3 – Accept:

The recently launched Cultural Recovery Fund provides **access to funding for digital initiatives** to increase online access and engagement with collections. The Welsh Government is working closely with sector bodies to review priorities for digital developments and support the sectors to access the necessary expertise and training. The Welsh Government's Culture and Sport Division is responsible for administering the Museum and

Archive Service Accreditation schemes in Wales. Digital access and online engagement is recognised as an integral part of service provision.

The Welsh Museums Festival, held for a week during the October half-term school holidays and supported by the Welsh Government, is being developed this year as a mainly digital festival. This is particularly important this year as it provides an opportunity to highlight that the museums are still there and very much a part of their local community, even when the doors of some might be physically closed.

Recommendation 4 – Accept:

Later this year, the Welsh Government will publish our ‘**cultural and sporting priorities**’ setting out agreed priorities and direction for culture and sport through next year and beyond. An associated delivery plan, developed collaboratively, will agree actions and commitments from major partners and stakeholders. This will also include digital developments.

Both national and local museums and cultural organisations have provided on-line resources, events and activities to support learning, education and enjoyment during the pandemic. As part of the UK-wide Museum Accreditation scheme, which the Culture and Sport Division manage for Wales, **engagement with the National Curriculum is an integral part**. Museums provide a wide range of activities such as reminiscence boxes, mental health workshops etc. Many have undertaken training to become ‘dementia friendly’. Projects have been part-funded by the Welsh Government.

Recommendation 5 – Accept:

Recommendation 7 – Accept:

As part of the £53m Cultural Recovery Fund, we have introduced a ‘Cultural Contract’. This will encourage recipients of the funding to ensure public investment is deployed with a social purpose. This will include areas such as:

- Fair Work
- Board diversity – gender, Welsh language, BAME representation etc.
- Retained staff to support wider initiatives e.g., contact tracing to support Test, Trace, Protect
- Social prescribing
- Supporting health & arts initiatives

DRAFT

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**CYNGOR CAERDYDD
CARDIFF COUNCIL**

ECONOMY & CULTURE SCRUTINY COMMITTEE

11 JULY 2023

WORK PROGRAMME 2023-2024

Purpose of the Report

1. To enable Members of the Committee to agree an approved Work Programme 2023/2024.

Background

2. The Council's Constitution (*Scrutiny Procedure Rule 7*) states that each Scrutiny Committee will set its own work programme. Members construct a work programme for the forthcoming municipal year that most effectively uses the Committee's time, by considering items within the Committee's terms of reference where scrutiny can make a difference.
3. This Committee's terms of reference include:
 - Cardiff City Region City Deal
 - Inward Investment & the Marketing of Cardiff
 - Economic Strategy & Employment
 - European Funding & Investment
 - Small to Medium Enterprises
 - Cardiff Harbour Authority
 - Lifelong Learning
 - Leisure Centres
 - Sports Development
 - Parks & Green Spaces
 - Libraries, Arts & Culture
 - Civic Buildings
 - Events & Tourism
 - Strategic Projects
 - Innovation & Technology Centres
 - Local Training & Enterprise.
4. This Committee's terms of reference also include the ability to '*assess the impact of partnerships with and resources and services provided by external organisations including the Welsh Government, joint local government services, Welsh Government Sponsored Public Bodies and quasi-departmental non-governmental bodies on the effectiveness of Council service delivery.*'

5. Scrutiny plays an essential role in promoting accountability, efficiency and effectiveness in the Council's decision-making process and the way in which it delivers services. The main roles of the Scrutiny Committees are:
 - i. Holding to account the Cabinet and officers, as decision-makers.
 - ii. Being a '*critical friend*', questioning how decisions have been made, providing a '*check and balance*' to decision makers, and undertaking reviews of services and policy.
 - iii. Providing a voice for citizens.

Identification of potential items

6. At their Committee Meeting on 31 May 2023, Members agreed to hold a work-programming forum to consider and prioritise potential items. Members tasked the scrutiny officer to prepare a schedule of potential items in advance of this meeting, including a review of the following:
 - i. Corporate documents - including '*Stronger, Fairer, Greener*' – the Administration's Statement, Cabinet Forward Plan, Corporate Plan, Recovery & Renewal Plans, Directorate Delivery Plans, Cabinet Response - Race Equality Taskforce, budget & performance information, risk register and audit reports
 - ii. Partnership workstreams - including Cardiff Capital Region City Deal and Cardiff Partnership Board
 - iii. Audit, Inspectorate and Regulatory reports
 - iv. Forthcoming UK and Welsh Government legislation and policy changes
 - v. Recommendations from the previous Committee regarding items to include in the work programme, and
 - vi. Relevant public consultation responses, such as Ask Cardiff and Cardiff Research Centre consultations.
7. Ahead of the forum meeting, on behalf of the Chair, the scrutiny officer liaised with relevant Cabinet Members and Directors to offer them the opportunity to identify priority areas. All Members were also invited to submit suggested areas requiring scrutiny. All suggestions received were included in the information pack shared with Committee Members prior to the forum meeting.

8. Therefore, the schedule of items considered at the work programming forum included the following:

- i) areas identified by Members as requiring scrutiny
- ii) items identified by the previous Committee as priorities for scrutiny
- iii) priorities identified following consultation with relevant Cabinet Members and Directors
- iv) pre-decision scrutiny
- v) areas identified from review of sources listed in point 6.

Initial prioritisation of items

9. Members considered the schedule of potential items at their work programming forum meeting on 22 June 2023. Committee Members discussed which of these suggestions to prioritise for inclusion in the draft work programme, considering factors such as:

- i) The potential impact of scrutiny
- ii) Importance to the citizens of Cardiff
- iii) Importance for Cardiff Council
- iv) Whether the possible item would be dealt with in other arenas, and
- v) The resources available from Scrutiny Services and the capacity of Members to undertake the scrutiny.

10. Committee Members considered the most appropriate type of scrutiny tool to use for each of the prioritised items, bearing in mind the WAO advice¹ to aim to achieve committee meetings that last no longer than three hours, whilst maintaining robust, appropriate scrutiny across the terms of reference by undertaking scrutiny outside of committee meetings. In addition, Committee Members noted that the Council's multi-location meeting policy recommends a comfort break after 2 hours to enable remote attendees to have a break from being onscreen.

11. A schedule listing the items considered by the work-programming forum and summarising the decisions taken is attached at **Appendix A**.

¹ Advice received following WAO Corporate Assessment (September 2014)

Draft Work Programme

12. Members tasked the Principal Scrutiny Officer to prepare a draft work programme calendar, illustrating likely availability and timing of items. The draft work programme calendar is attached at **Appendix B**, with items split into the following work areas:

Committee Meeting Items:

- **Policy Development / Policy Review/ Pre-decision Scrutiny** - Where the Committee contributes to the Council's policy development processes by considering green papers or draft policy documents, reviews the progress made in implementing agreed Council policies, or evaluates and comments on policy proposals before they go to the Cabinet, giving the Cabinet the opportunity to receive and consider Scrutiny Members views prior to making their decision.
- **Committee Business Items** – enabling Members to consider items of Committee business, such as work programming, task group reports, correspondence reports and Scrutiny's Annual Report as well as update reports on the work of the Cardiff Capital Region City Deal Joint Overview & Scrutiny Committee.

Items dealt with outside Committee Meetings:

- **Committee Improvement Inquiries** - Where the Committee establishes a Task Group to examine a topic, resulting in a formal report to the Cabinet. These can be short inquiries, such as deep dives, or longer inquiries, as required.
- **Briefings/ Information Reports** – Where the Committee receives reports for information to guide future scrutiny and/ or determine if further scrutiny is required. This includes corporate and directorate performance and budget monitoring reports.

Final prioritisation and rationalisation

13. Members are invited to consider whether any further amendments are required to the draft work programme calendar attached at **Appendix B**. Members are

reminded of the need to retain some flexibility in the work programme to enable new items to be added to the work programme during the year, as necessary.

14. Members are advised that two pre-decision items have emerged since the work programming forum; these are shown with red font in the draft calendar and include:

- i) September – Shared Prosperity Fund
- ii) Timing TBC - Roath Park Dam.

15. Members are reminded the aim is to balance the work programme to enable Scrutiny Committees to have a clear input into the development of the main policies and strategies that form the Council's policy framework, comment on operational and service delivery issues, identify potential improvements and savings, highlight good practice and reflect the voice and concerns of the public.

Scoping Inquiries

16. At the forum meeting, Members discussed potential ideas for task groups in addition to the already agreed RLDP Preferred Strategy Inquiry and prioritised the following:

- i) Cardiff Riding School – a short Inquiry.

17. It is now necessary to scope this Inquiry, to bring terms of reference back to Committee for discussion, amendment and agreement. Members interested in being on the Task Group for this Inquiry are invited to express their interest at this meeting, with Committee requested to approve nominations.

Forward Work Plan September – December 2023

18. As part of the Council's response to the Wales Audit Office report '*Overview and Scrutiny - Fit for the Future?*' (July 2018), the Head of Democratic Services has introduced publication of the Committee's "Forward Work Plan" (FWP) on the Council's internet site.²

² Available at: <http://cardiff.moderngov.co.uk/mgListPlans.aspx?RPId=142&RD=0&LLL=0>

19. The next published FWP will cover the period September 2023 – December 2023. At this meeting, Members are asked to agree for this to be published, to be based on the work programme as agreed at this meeting.

Way Forward

20. Members will have the opportunity to discuss the information provided in **Appendices A and B** and agree whether any amendments are required to the proposed work programme 2023-24.

Legal Implications

21. The Scrutiny Committee is empowered to enquire, consider, review, and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters, there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

22. The Scrutiny Committee is empowered to enquire, consider, review, and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters, there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations

for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

Recommendation

The Committee is recommended to:

1. Consider the contents of **Appendix A and Appendix B** and agree any amendments required to these and thus approve a final work programme
2. Seek and approve nominations to sit on the task and finish group for the Cardiff Riding School Inquiry, and
3. Agree a Committee Forward Work Plan, based on the work programme as agreed at this meeting, is approved for publication on the Council's internet.

DAVINA FIORE

Director of Governance & Legal Services

05 July 2023

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Economy & Culture Scrutiny Committee Work Programme 2023/24 – POTENTIAL ITEMS

| Potential Items – by Source | Decisions |
|--|--|
| 1. Previous Committee’s recommendations for future scrutiny (Annual Report 2022/23) | |
| a) Museum of Cardiff Inquiry | INCLUDE – CABINET RESPONSE & REPORT TO CABINET |
| b) St David’s Hall – report to Cabinet | INCLUDE |
| c) Major Projects – report to Cabinet | INCLUDE |
| d) Pentwyn Leisure Centre – report to Cabinet | INCLUDE |
| e) Llanrumney Bridge – current situation and way forward | INCLUDE - NOT AT CTTEE - REQUEST AN UPDATE |
| f) Culture Strategy – report to Cabinet | INCLUDE |
| g) Events Strategy – report to Cabinet | INCLUDE |
| h) Shaping Cardiff’s Post Pandemic Economic Recovery Inquiry – Cabinet Response | INCLUDE |
| i) Replacement LDP – contribute to scrutiny | INCLUDE |
| j) Flatholm – joint with Environmental Scrutiny Committee | INCLUDE |
| k) Taff Water Trail | <i>DO NOT INCLUDE</i> |
| 2. Cabinet Forward Plan | |
| a) Skatepark Strategy | INCLUDE |
| b) Cardiff Harbour Authority – s165 WG/ Council Agreement Review | INCLUDE |
| c) Cardiff Market | INCLUDE |
| d) Other items on Future Cabinet Forward Plans | INCLUDE – SUBJECT TO CHAIR’S DISCRETION |
| 3. Committee Members’ suggestions – | |
| a) National Park City | INCLUDE - UPDATE AT COMMITTEE – MARCH 2024 |
| b) Planting Trees | LINK TO COED CAERDYDD ITEM BELOW |
| 4. Cabinet Members’ suggestions – | NONE RECEIVED |
| 5. Directors’ suggestions – | |
| a) Cardiff Riding School | INTERESTED– POTENTIALLY SHORT INQUIRY |
| b) Bute Park Nursery and Roath Park Conservatory | INCLUDE - CONFIDENTIAL COMMITTEE ITEM |

| Potential Items – by Source | Decisions |
|---|---|
| c) Coed Caerdydd | INCLUDE – LINK TO PLANTING TREES ITEM ABOVE |
| d) Sport & Leisure Vocational Education Programme (NH) | DO NOT INCLUDE |
| 6. Corporate Risk Register – Q3 G&A Cttee 21/3/23 Item 9.1 - Appendix A.pdf (modern.gov.co.uk) | NOT APPLICABLE – NONE, RELEVANT TO COMMITTEE'S TERMS OF REFERENCE |
| 7. Corporate Plans & Budget | |
| <ul style="list-style-type: none"> • Corporate Plan | |
| <ul style="list-style-type: none"> ○ Cardiff Commitment, Into Work Services, Living Wage ○ Regeneration - Strategy, schemes, WG funding TRIP, Members' Neighbourhood Renewal Scheme ○ Hubs ○ Grass-roots and Community Sport, Leisure Centres – long term sustainability ○ Parks and Public Spaces – including tree canopy, Allotments, National Park City, and working with Fields in Trust Cymru ○ City Deal and Western Gateway ○ Shared Prosperity Fund (new prog for 2024/25) ○ Enhance city centre - including Central Quay, Metro Central, Action Plan, new city centre management arrangements ○ Cardiff Bay Regeneration – Atlantic Wharf, Graving Docks, Arena, Metro, ISV, historic buildings ○ City-wide economy – Cardiff Parkway, creative enterprises, innovation and start-up, 15-minute city toolkit ○ Retail and Hospitality – visitor infrastructure, Welsh Government, Cardiff Market ○ Creativity & Culture - Music Strategy, St David's Hall, Cultural Strategy by March 2024 ○ Events – Events Strategy by end of 2023, international music festival by 2024, EUROS | <p>INCLUDE:</p> <ul style="list-style-type: none"> • EMPLOYMENT SERVICES SHORT SCRUTINY – INTO WORK SERVICES, RECS FROM RACE EQUALITY TASK FORCE, CEDAW, DIRECTORATE DELIVERY PLAN COMMITMENTS, WELLBEING PLAN COMMITMENTS, WELSH GOVT PROGRAMME FOR GOVT • CITY DEAL AND WESTERN GATEWAY - UPDATE ON WORK TO DATE AND FUTURE PROPOSALS • INTERNATIONAL MUSIC FESTIVAL |
| <ul style="list-style-type: none"> • Race Equality Task Force Report 2022 | |

| Potential Items – by Source | Decisions |
|---|--|
| a) Develop a city-wide network for employers to encourage good practice and collaboration on employment action to improve ethnic minority representation and progression in the local labour market | <i>INCLUDE - IN EMPLOYMENT SERVICES SHORT SCRUTINY – SEE ABOVE</i> |
| b) Use planning and commissioning powers to require employers to recruit apprenticeships from disadvantaged groups and to increase transparency about the diversity of their workforces | |
| c) Increase participation of ethnic minority groups in the Into Work Advice Service | |
| • Recovery & Renewal Plan/ City Centre Recovery Action Plan | |
| d) <i>City Centre Recovery</i> | <i>INCLUDE</i> |
| e) <i>Levelling Up, Community Renewal and Shared Prosperity Funding</i> | |
| • Budgetary Savings Decisions 2023-24 | |
| f) <i>Deletion of hub and library staff – lines HACE4, 13 and 17</i> | <i>DO NOT INCLUDE</i> |
| g) <i>Use of Volunteers in hubs and libraries – HACSC1</i> | |
| h) <i>Deletion of posts in Economic Development - ECDE4, ECDE9, ECDE15, ECDE18 (Ec Dev, Castle, Events and Tourism)</i> | |
| i) <i>Service Change Proposals – ECDSC1, ECDSC2, ECDSC3, ECDSC4 – events, St. David’s Hall, CIWW, Sports Pitches and Facilities in Parks</i> | |
| 8. Directorate Delivery Plans (items only listed if not mentioned elsewhere in this document) | |
| • Economic Development | |
| a) <i>Tourism Strategy</i> | <i>INCLUDE</i> |
| b) <i>Park Asset transfers to community clubs and organisations</i> | <i>DO NOT INCLUDE</i> |
| c) <i>New city centre management arrangements</i> | <i>INCLUDE</i> |
| • Adults, Housing & Communities | |
| a) <i>Encourage employment and prevent discrimination against older people in the job market</i> | <i>INCLUDE IN EMPLOYMENT SERVICES</i> |

| Potential Items – by Source | Decisions |
|---|--|
| b) Provide opportunities for all people to get involved in their community, and in particular to support older people to stay active and connected | SHORT SCRUTINY – SEE ABOVE - REQUEST BRIEFING RE b) |
| c) Respond to the impact that the cost-of-living crisis is having on residents (Into Work Services/ Advice Services) | |
| <ul style="list-style-type: none"> Shared Regulatory Services Business Plan – being considered at SRS Joint Cttee 21/6/23 SRS Business Plan (valeofglamorgan.gov.uk) | |
| a) Supporting the local economy – Trading Standards, training provision, business support, consumer support | INLCUDE |
| b) Emerging Issues – new food businesses, major events, on-line retailing | |
| 9. Performance and Budget Monitoring Reports | |
| <ul style="list-style-type: none"> Annual Wellbeing Report & Mid-Year Assessment | RECEIVE OUTSIDE COMMITTEE – AS PREVIOUSLY |
| <ul style="list-style-type: none"> Outturn Report, Month 4, 6 and 9 | RECEIVE OUTSIDE COMMITTEE – AS PREVIOUSLY |
| <ul style="list-style-type: none"> Other | |
| a) GLL Annual Performance Review (including financial info) | INCLUDE |
| b) Library Standards report – Welsh Government | CIRCULATE OUTSIDE COMMITTEE |
| 10. Audit, Inspection and Regulation Bodies Work Programmes: | |
| <ul style="list-style-type: none"> Audit Wales planned work and reports relevant to E&C Our work programme for 2023-2026 (audit.wales) | NOT APPLICABLE – NONE, RELEVANT TO THIS COMMITTEE'S TERMS OF REFERENCE |
| <ul style="list-style-type: none"> Internal Audit Plan – G&A 21/3/23 Item 8.2 - Annex 3.pdf (modern.gov.co.uk) Event Management – Cardiff Castle | IF ISSUES ARISE, BRING TO COMMITTEE |
| 11. Ask Cardiff - consultation https://www.cardiff.gov.uk/ENG/Your-Council/Have-your-say/Research-Reports/Pages/default.aspx Ask Cardiff 2022 report Agenda for Cabinet on Thursday, 22nd December, 2022, 2.00 pm : Cardiff Council (modern.gov.co.uk) | USE - WHERE RELEVANT TO TOPIC BEING SCRUTINISED |
| 12. Partnerships | |

| Potential Items – by Source | Decisions |
|---|---|
| <ul style="list-style-type: none"> • Well-being Plan - PSB (Public Service Board) | |
| <p>a) Through the Cardiff Commitment, improve collaboration between Schools, Employers, and Further and Higher Education Institutions to further develop the authenticity of the School Curriculum in Cardiff, strengthening the power of education to transform young people’s futures and build the skills needed in 21st century workplaces</p> | |
| <p>b) Work together to deliver new apprenticeship and trainee opportunities across the city’s public services.</p> | <p><i>INCLUDE - IN EMPLOYMENT SERVICES SHORT SCRUTINY</i></p> |
| <p>c) Work together on maximising opportunities for local employment and supply chains during the development and building of significant new public sector infrastructure, such as health or local authority estates, ensuring that new infrastructure supports the city to achieve decarbonisation and climate resilience, to improve the health and well-being of our communities</p> | |
| <p>d) Increase the percentage of children and young people with a healthy weight and increase physical activity levels, by delivering the Move More, Eat Well Strategy 2020-2023.</p> <p>e) Increase the percentage of people with a healthy weight and increase physical activity levels, particularly in the more deprived communities, through the delivery of the Move More, Eat Well Strategy 2020-2023.</p> | |
| <p>f) Implement the Real Living Wage across the public and private sectors and by November 2025: • Increase the number of accredited Living Wage employers across the city to 300 • Increase the number of workers receiving a pay rise onto at least the Real Living Way to 13,900</p> | <p><i>DO NOT INCLUDE – MONITORED VIA PERFORMANCE REPORTS</i></p> |
| <p>g) Work in partnership to support Cardiff’s major events programme, being mindful of their impact on the cost of delivering public services.</p> | <p><i>DO NOT INCLUDE – SCRUTINISE VIA EVENTS & TOURISM STRATEGY</i></p> |
| <p>h) Work together to maximise outdoor recreation using green and blue infrastructure.</p> | <p><i>DO NOT INCLUDE - SCRUTINISE VIA HARBOUR AUTHORITY, AND PREVIOUS SCRUTINIES OF PARKS AND PHYSICAL ACTIVITY & SPORTS STRATEGY</i></p> |

| Potential Items – by Source | Decisions |
|---|---|
| <ul style="list-style-type: none"> CJC/ City Deal | |
| Cardiff Capital Region - Re-energising our Region, Reshaping our Future | <i>INCLUDE - UPDATE ON WORK TO DATE AND FUTURE PROPOSALS</i> |
| <ul style="list-style-type: none"> Western Gateway | |
| <p><i>'The Council will work with its Western Gateway partners to leverage investment from the UK Government, as well as inward investment on an international scale, recognising the potential of shared assets across the region to raise overall competitiveness. This cross-border strategic partnership – with Cardiff and Bristol at its core – will help drive the inclusive and green economic growth that will define the post-Covid era.'</i></p> | <i>INCLUDE - UPDATE ON WORK TO DATE AND FUTURE PROPOSALS</i> |
| 13. Welsh Government – Programme for Govt. 2021-2026 | |
| a) Deliver the Young Persons Guarantee, giving everyone under 25 the offer of work, education, training, or self-employment | <i>INCLUDE - IN EMPLOYMENT SERVICES SHORT SCRUTINY</i> |
| b) Create 125,000 all-age apprenticeships | |
| c) Use the new network of Disabled People’s Employment Champions to help close the gap between disabled people and the rest of the working population | <i>INCLUDE - IN EMPLOYMENT SERVICES SHORT SCRUTINY</i> |
| d) Enable our town centres to become more agile economically by helping businesses to work cooperatively, increase their digital offer and support local supply chains, including local delivery services | <i>DO NOT INCLUDE – ALREADY SCRUTINISED VIA INQUIRY – SHAPING CARDIFF’S POST PANDEMIC ECONOMIC RECOVERY</i> |
| e) Seek a 30% target for working remotely | |
| f) Ensure the history and culture of our Black, Asian, and Minority Ethnic communities are properly represented by investing further in our cultural sector and museum network | <i>DO NOT INCLUDE – ALREADY SCRUTINISED VIA MUSEUM OF CARDIFF INQUIRY</i> |
| g) Engage with the arts, culture and heritage sectors to develop a new culture strategy | <i>DO NOT INCLUDE – ALREADY SCRUTINISED VIA MUSEUM OF CARDIFF INQUIRY AND WILL SCRUTINISE VIA CULTURE STRATEGY SCRUTINY</i> |
| h) Introduce legislation permitting local authorities to raise a tourism levy | <i>INCLUDE – WHEN SCRUTINISE EVENTS & TOURISM STRATEGY</i> |

| Potential Items – by Source | Decisions |
|---|---|
| i) Promote equal access to sports and support young and talented athletes and grassroots clubs. | <i>DO NOT INCLUDE – ALREADY SCRUTINISED PHYSICAL ACTIVITY & SPORTS STRATEGY</i> |
| j) Ensure that each region in Wales has effective and democratically accountable means of developing their future economies k) Keep regional partnership working under review with local partners. | <i>INCLUDE – WHEN RECEIVE CITY DEAL/ CIC AND WESTERN GATEWAY UPDATES</i> |
| 14. Forthcoming Legislation – King’s Speech due Autumn 2023 | |
| Government Legislation in the 2022-23 Session (parliament.co.uk) | DO NOT INCLUDE – TOO EARLY |
| a) Levelling Up and Regeneration Bill | |
| b) Non-Domestic Rating Bill | |

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| COMMITTEE MEETINGS | 20-Jun-23 | 11-Jul-23 | 19-Sep-23 | 17-Oct-23 | 21-Nov-23 | 12-Dec-23 | 16-Jan-24 | 27-Feb-24 | 19-Mar-24 | 23-Apr-24 | 14-May-24 | |
|---|---------------------------------------|---------------------------|---|--------------------------------------|------------------------|-------------------------------------|--------------------------------------|---------------------------|-----------------------------------|--------------------------------|---|--|
| Pre-Decision/ Policy Development / Policy Review/ Monitoring | Pentwyn Leisure Centre | St David's Hall | Cabinet Response: Post Pandemic Economic Recovery | Skateboard Strategy | City Centre Recovery | Employment Services | Employment Services | Budget Proposals | Culture Strategy | GLL Annual Review | Levelling Up, SPF, Community Renewal Fund | |
| | Tennis in Parks | Atlantic Wharf Masterplan | Bute Park Nursery & Roath Park Conservatory | Cardiff Harbour Authority | City Centre Management | Museum of Cardiff | Shared Regulatory Services | Corporate Plan | Cabinet Response: Culture Inquiry | Events & Tourism Strategy | | |
| | | ISV Update | Cardiff Market | ISV | Indoor Arena | Cabinet Response: Museum of Cardiff | City Deal & Western Gateway | | National Park City | | | |
| | | | Shared Prosperity Fund | | | | | | Coed Caerdydd & Planting Trees | | | |
| Committee Business items | Work Programme | Work Programme | CCRCD Update | | | RLDP T&F Inquiry Report | | | | Annual Report E&C contribution | Annual Report Overall | |
| | T&F Terms of Reference | Museum T&F Inquiry Report | RLDP T&F Terms of Reference | Riding School T&F Terms of Reference | | CCRCD Update | | | CCRCD Update | | | |
| | Correspondence | Correspondence | Correspondence | Correspondence | Correspondence | Correspondence | Correspondence | Correspondence | Correspondence | Correspondence | Correspondence | |
| OUTSIDE COMMITTEE MEETINGS | June | July | Sept | Oct | Nov | Dec | Jan | Feb | March | April | May | |
| Committee Improvement Inquiries | Museum of Cardiff Task & Finish Group | | RLDP Task and Finish Group | | | | | | | | | |
| | | | | | | Cardiff Riding School | | | | | | |
| Monitoring reports outside Committee | | Outturn budget monitoring | Month 4 budget monitoring | | | Month 6 budget monitoring | Welsh Library Standards | Month 9 budget monitoring | | | | |
| | Year-End Performance Self Assessment | | | | | | Mid-Year Performance Self Assessment | | | | | |
| Briefing reports outside Committee | | | Flatholm | | Llanrumney Bridge | | | | | | | |

| | |
|-----------------------|----------------|
| Policy Development | Inquiry |
| Policy Review | Briefing |
| Pre-Decision Scrutiny | Short Scrutiny |
| Monitoring Scrutiny | |

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|------------------------------|
| Timing to be confirmed |
| International Music Festival |
| Atlantic Wharf |
| Roath Park Dam |

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**CYNGOR CAERDYDD
CARDIFF COUNCIL****ECONOMY & CULTURE SCRUTINY COMMITTEE****11 JULY 2023**

CORRESPONDENCE UPDATE

Background

1. Following most Committee meetings, the Chair writes a letter to the relevant Cabinet Member or officer, summing up the Committee's comments and recommendations regarding the issues considered. At the Committee meeting on 20 June 2023, Members received a report detailing the correspondence sent and received up to that meeting.

2. Correspondence has been sent since that meeting and the current position is set out below:
 - i. **Response Received** – from Councillor Goodway, Cabinet Member – Investment and Development, to the Chair, Councillor Wong's public letter, following pre-decision scrutiny of the International Sports Village report to Cabinet, considered at Committee on 18 January 2023

 - ii. **Response Received** – from Councillor Thomas, Leader, to the Chair, Councillor Wong's confidential letter, following pre-decision scrutiny of the EURO's 2028 report to Cabinet, considered at Committee on 21 March 2023

 - iii. **Response Received** – from Councillor Burke, Cabinet Member – Culture, Parks and Events, to the Chair, Councillor Wong's public letter, following pre-decision scrutiny of St. David's Hall – Next Steps, at Committee on 31 May 2023

 - iv. **Response Received** – from Councillor Burke, Cabinet Member – Culture, Parks and Events, to the Chair, Councillor Wong's confidential letter, following pre-decision scrutiny of St. David's Hall – Next Steps, at Committee on 31 May 2023.

- v. **Response Received** – from Councillor Burke, Cabinet Member – Culture, Parks and Events, to the Chair, Councillor Wong’s public and confidential letters, following pre-decision scrutiny of the Pentwyn Leisure Centre report to Cabinet, at Committee on 20 June 2023.
 - vi. **Response Received** – from Councillor Burke, Cabinet Member – Culture, Parks and Events, to the Chair, Councillor Wong’s public letter, following pre-decision scrutiny of the Tennis in Parks report to Cabinet, at Committee on 20 June 2023.
3. There are no responses outstanding. Copies of the Chair’s letters and any public responses received can be found on the Council’s website page for the relevant Committee meeting, with a hyperlink provided at the top of the page, entitled ‘*correspondence following the committee meeting*’. Confidential letters have been circulated to Committee Members.

Way Forward

4. During the meeting, Members are able to discuss the correspondence update

Legal Implications

5. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

6. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

RECOMMENDATION

The Committee is recommended to reflect on the update on correspondence.

Davina Fiore
Director of Governance & Legal Services
05 July 2023

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