

**SECURING THE FUTURE OF CARDIFF'S HERITAGE BUILDINGS: PRE-
DECISION SCRUTINY**

Appendices 1, 2 and 3 of the Cabinet Report are not for publication as they contain exempt information of the description contained in paragraphs 14 and 21 of Schedule 12A of the Local Government Act 1972.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 regarding securing the future of Cardiff's heritage buildings, which is due to be considered by Cabinet at their meeting on 15 November 2018.
2. Members should note that **Appendices 1, 2 and 3** 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 and the Cardiff Undertaking for Councillors.

Scope of Scrutiny

3. At their meeting on 15 November 2018, the Cabinet will consider a report that outlines the general condition, maintenance backlog and operating cost of the Council's portfolio of heritage buildings. The report also seeks authority to explore a range of new operational approaches to protect their long-term future prior to the Cabinet considering building specific proposals at a later date.

4. During this scrutiny, Members have the opportunity to explore:
 - i) The proposed approach for securing the future of Cardiff's heritage buildings;
 - ii) Whether there are any risks to the Council;
 - iii) The timeline and next steps for securing the future of Cardiff's heritage buildings;
 - iv) The recommendations to Cabinet.

Structure of the meeting

5. 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, 2 and 3**.
6. Members will hear from Councillor Russell Goodway (Cabinet Member – Investment and Development), Councillor Peter Bradbury (Cabinet Member – Leisure & Culture) and Neil Hanratty (Director of Economic Development). There will be a presentation taking Members through the proposals and recommendations to Cabinet, followed by Members questions.
7. 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

8. The report to Cabinet covers the following heritage buildings:
 - i) Cardiff Castle
 - ii) City Hall
 - iii) Mansion House
 - iv) New Theatre
 - v) St David's Hall
 - vi) Old Library
 - vii) Norwegian Church.

9. Capital Ambition, which outlines the political administration's vision for the city, includes a commitment to *"Bring forward a business-led strategy designed to address the backlog in maintenance of the city's most historic buildings and equipping them with the technology required to enable us to find new uses which will contribute to the delivery of the Council's economic development agenda."*
10. Subsequently, *Delivering Capital Ambition, Cardiff's Corporate Plan 2018-21*, includes a commitment to develop a business plan to protect the city's historic assets by the end of 2018.
11. The Council's Budget Strategy noted that the Council's Corporate Land and Property Management Plan approved by Cabinet in February 2018 set out the approach to managing the Council's property assets. The Budget Strategy notes that it is clear that within this financial climate of reducing revenue resources, all necessary actions must be taken to reduce capital expenditure and operating costs.

Previous Scrutiny

12. This Committee undertook an in-depth inquiry into *'Alternative Operating Models for Leisure and Cultural Venues'* over 2014/16; this included New Theatre and St David's Hall. The Inquiry adopted a flexible approach to working, contributing to on-going policy development work and providing a critique to inform pre-decision scrutiny of this area.
13. The final Inquiry report led to the following comments by Councillor Peter Bradbury (Cabinet Member with responsibility for Leisure and Cultural Venues)

The Leader, other Cabinet Members, the Director and I found the Inquiry report to be a first class, in-depth analysis, which was used to guide the Cabinet decision made on 15 May 2014. The thoroughness of the Scrutiny process gave confidence to Cabinet that the complexities and nuances of this topic had been considered in detail.'

Way Forward

14. Councillor Russell Goodway (Cabinet Member – Investment and Development) and Councillor Peter Bradbury (Cabinet Member – Leisure & Culture) will be invited to make a statement. Neil Hanratty (Director of Economic Development) will attend to give a presentation and answer Members' questions on the proposals for securing investment into Council owned heritage buildings.

15. All Members are reminded of the need to maintain confidentiality with regard to the information provided in **Appendices 1, 2 and 3**. Members will be invited to agree the meeting go into closed session to enable discussion of this information.

Legal Implications

16. 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

17. 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 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 15 November 2018; and
- iii) Decide the way forward for any future scrutiny of the issues discussed.

DAVINA FIORE

Director of Governance & Legal Services

2 November 2018