

**CITY CENTRE NEXT STEPS – CASTLE STREET AND CITY CENTRE EAST
(PHASE 1 + CANAL): PRE-DECISION SCRUTINY**

Appendix 6 of the Cabinet Report is not for publication as it contains exempt information of the description contained in paragraphs 14 and 21 of Schedule 12A of the Local Government Act 1972.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 the next steps in two city centre transport schemes, Castle Street and the City Centre East scheme, which is due to be considered by Cabinet at their meeting on 17 June 2021.
2. Members should note that **Appendix 6** of the Cabinet report is 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 17 June 2021, the Cabinet will consider a report that provides feedback on the public consultation and modelling work undertaken for Castle Street. The report seeks approval for modifications to the current road layout to achieve clean air compliance and to commission further modelling and analysis of the impact of these modifications on clean air, congestions and wider city recovery and renewal. The report also seeks delegated authority to award the tender and begin construction for the City Centre East Phase 1+ Canal Project.

4. During this scrutiny, Members have the opportunity to explore:
 - i) The possible transport options for Castle Street and their impact on:
 - i. Businesses on Castle Street
 - ii. Businesses in nearby arcades
 - iii. Other city centre businesses
 - iv. Other businesses in nearby locations, such as Pontcanna, Riverside and Grangetown;
 - v. Areas relevant to this Committee's terms of reference, such as impacts on visitors, tourism, culture and events
 - vi. Equalities;
 - vii. Climate Emergency.
 - ii) The proposed further modelling and analysis re Castle Street;
 - iii) Whether there are any risks to the Council, financial or otherwise;
 - iv) The timeline and next steps for delivering these proposals; and
 - v) The recommendations to Cabinet.

5. The Environmental Scrutiny Committee is also considering this report from its terms of reference, at its committee meeting on 15 June 2021, and will focus on air quality, transport policy and sustainability.

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 **Appendix 6**.

7. Members will hear from Councillor Caro Wild (Cabinet Member – Strategic Planning and Transport), Andrew Gregory (Director of Planning, Transport and Environment) and Gethin Shields (Transportation Programme Manager) will be in attendance and the whole panel will be available to answer 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 2018, the Welsh Government issued a legal Direction requiring the Council to comply with the EU limit value for nitrogen dioxide ((NO₂) found in air. The Council developed a Clean Air Plan to achieve NO₂ compliance and Cabinet approved this in June 2019.
10. The Clean Air Plan contains a scheme for Castle Street, which allows all traffic with restricted capacity and achieves air quality compliance re NO₂. The Clean Air Plan also contains the City Centre East scheme, aiming to achieve high quality, active travel infrastructure and connect key developments in a sustainable way. The scheme covers Dumfries Place, Station Terrace, Churchill Way, including the Canal reopening, and Bute Terrace.
11. The Covid-19 national lockdown led to the pausing of the above schemes. In Summer 2020 Castle Street was closed to all traffic to accommodate an outdoor dining area and Station Terrace was restricted to bus, taxi and limited access only. In autumn 2020 the outdoor dining area in Castle Street was removed, the south pavement extended to facilitate social distancing and Castle Street reopened to buses, taxis and access vehicles. Station Terrace reopened to all traffic. In addition, a series of Pop Up cycleways were installed in the city centre.
12. The draft report to Cabinet entitled '*City Centre Next Steps – Castle Street and City Centre East (Phase 1 + Canal)*' is attached at **Appendix A** and has **six** appendices:
 - **Appendix 1** - Project Area Map
 - **Appendix 2** - Traffic Modelling and Air Quality Technical Information
 - **Appendix 3** - Consultation Report – Castle Street
 - **Appendix 4** – Castle Street Option Design
 - **Appendix 5** - Detailed Design City Centre East
 - **Confidential Appendix 6** - Funding Makeup

Public Consultation

13. From March – May 2021 a public consultation took place on Castle Street, seeking views on the following two options:

- **Option 1:** This scheme is the previously approved design included in the Council's Clean Air Plan. The scheme allows general traffic to access the area under reduced capacity, whilst also providing segregated cycling facilities, bus priority and public realm improvements.
- **Option 2:** A variation on Option 1 where general traffic is restricted from using the street as a through-route at all times. The scheme provides a segregated cycle lane, bus and taxi access and improved public realm via an extension to the pavement on the south side.

14. The Cabinet report, at **points 15 and 16**, summarises the results of the public consultation. The Castle Street consultation received 6,250+ responses, split 53.8% thinking Option 1 had some considerable benefit and 33.8% thinking Option 2 had some considerable benefit. The full report on the consultation is at **Appendix 3 of Appendix A**.

Issues identified in the Cabinet Report

15. The report to Cabinet summarises the following issues:

- i) Castle Street:
 - i. Additional Considerations – **point 10**
 - ii. Traffic Modelling – **point 13**
 - iii. Air Quality – **point 14**
 - iv. Next Steps – **points 17-19**
- ii) City Centre East – **points 20 – 25**
- iii) Future Stakeholder & Public Engagement – **point 26**
- iv) Project Funding – **points 27 - 31**
- v) Future Maintenance Costs – **points 32 -33.**

16. The additional considerations include: maintaining improvements in air quality; supporting economic recovery; lifting of Covid-19 restrictions; roll out of cycling infrastructure; supporting bus priority; and key developments putting added pressure on the network.

17. Traffic modelling shows:

- i) Both Castle Street options cause some displacement to the west of the city centre
- ii) There are larger impacts on A48 and A4232. Due to rerouting to avoid the city centre
- iii) Full results are available in **Appendix 2 of Appendix A.**

18. Air quality modelling shows:

- i) Both Castle Street options ensure compliance re NO₂, with Option 2 reducing levels the furthest
- ii) Both options show improvements in air quality across the city
- iii) Both options show small increases re NO₂, compared to the baseline scenario but not to a level that exceeds legal limits.

19. The proposed next steps are:

- i) Modifications of current scheme to allow all vehicles to access Castle Street – *draft concept design at Appendix 4*
- ii) New tender process and contract award, with work onsite in summer and Castle Street open to all traffic in the autumn
- iii) Further analysis, monitoring and assessment re impact on network, air quality, wider city environment and economy
- iv) Work with public transport providers to address any emerging issues
- v) Permanent scheme to be developed and implemented in due course.

20. The report to Cabinet sets out that Cabinet has previously approved the City Centre East scheme for tender and seeks delegated authority to the Director of Planning, Transport and Environment in consultation with the Corporate Director of Resources to award the tender and begin construction, anticipated to begin in September 2021.

21. The report to Cabinet sets out the following measures to inform and assist stakeholders and the general public re Castle Street and City Centre East schemes:

- i. A dedicated project website containing all information associated with the project including: project background; maps; designs and operational plans.
- ii. A communication plan for each phase of works, including: newsletters for local residents and businesses; press releases and proactive media engagement.
- iii. Regular Stakeholder Meetings with Bus Operators and other key stakeholders.

22. The report to Cabinet sets out the following regarding funding:

- i) Castle Street – Welsh Government Clean Air funding
- ii) City Centre East – City Deal Grant funding, Air Quality funding and General Capital Fund
- iii) Opportunities for further Welsh Government grant funding and Council capital funding will be considered
- iv) Estimated fees will be £400,000 for both projects.

23. The report to Cabinet highlights that the new infrastructure will cause future maintenance costs, which will need consideration when developing the future Medium Term Financial Plan.

24. Financial Implications are at **Points 39-41** and state that the costs and funding of the schemes are set out in **Confidential Appendix 6 of Appendix A**. They also highlight that the Council has allocated £3 million from its capital programme towards exposing the dock feeder canal at Upper Churchill Way to provide new public space with seating and no budgets are available for further phases of the canal.

25. Legal Implications are at **points 42-53**, going through each recommendation to Cabinet in turn. Recommendations 1, 2 and 3 raise no direct legal implications. Recommendation 4 mentions legal implications regarding procurement but not within the remit of this report. The Legal Implications then detail the general responsibilities of the Council regarding public sector equality duty, Well- Being of Future Generations (Wales) Act 2015, Well Being and Welsh Language.

Proposed Recommendations to Cabinet

26. The report to Cabinet contains the following recommendations:

- i. Note the outcome of the public consultation and modelling work carried out on the future of Castle St.*
- ii. Approve the implementation of the adjustment to the current road layout on Castle Street to allow all traffic as outlined in Appendix 2.*
- iii. Note the intention to undertake further modelling and analysis of the impact of the scheme on clean air, congestions and wider city recovery and renewal.*
- iv. delegate authority to the Director of Planning, Transport & Environment in consultation with the Corporate Director of Resources to deal with all aspects of the procurement process (including approving the evaluation criteria to be used and authorising the award of the proposed contract) and all ancillary matters pertaining to the procurement for the construction of City Centre East + Canal Phase 1.*

Previous Scrutiny

27. In October 2020, this Committee undertook scrutiny of the Castle Street temporary closure, its impact on businesses and the economy of Cardiff and the proposed approach to options generation and appraisal for the way forward.

28. Following their scrutiny, Councillor Howells, Chair, wrote to Councillor Wild, Cabinet Member – Strategic Planning & Transport, setting out the Committee's comments and observations; the letter is attached at **Appendix B**,

29. Overall, Members were supportive of the temporary closure, stating '*an attractive, safe space with novelty value was created, which showed Cardiff was open for business and this, along with other city centre schemes, enabled footfall to recover and helped minimise loss to the eateries involved.*'¹

30. In the letter, attached at **Appendix B**, Members:

¹ Extract from letter from Councillor Howells, Chair Economy & Culture Scrutiny Committee, to Councillor Wild, Cabinet Member – Strategic Planning and Transport, dated 16 October 2020, attached at Appendix B.

- i. Were clear that good access is critical to the future success of Cardiff's city centre;
- ii. Noted that the permanent options will aim to maximise place making, transport and economic benefits, and will take place in the context of plans for other spill-out spaces and systematic upgrading of spaces.
- iii. Noted that future spill-out areas will be located near to the businesses that use them, which will reduce costs
- iv. Were pleased to hear that there will be opportunities for full engagement on future proposals, with comprehensive consultation on permanent proposals, including residents, communities, businesses, major employers, public transport users and road users.

31. Members also made two recommendations, set out in the letter, as follows:

- i. Trial two approaches, consecutively; one enabling bus, taxi, cycle and pedestrian usage; and one trialling the previous proposals put forward for single lanes in both directions, for use by all vehicles, including cars
- ii. That the consultation with stakeholders is also used to define what it is we need to achieve to ensure a viable city centre and to select a matrix of measures based on this.

32. Councillor Wild, Cabinet Member – Strategic Planning & Transport, responded to the letter; his response is attached at **Appendix C**.

Way Forward

33. Councillor Caro Wild (Cabinet Member – Strategic Planning & Transport) will be invited to make a statement, contribute to the discussion and answer questions. Andrew Gregory (Director of Planning, Transport and Environment) and Gethin Shields (Transportation Programme Manager) will attend to contribute to the discussion and respond to points raised.

34. All Members are reminded of the need to maintain confidentiality with regard to the information provided in **Appendix 6**. Members will be invited to agree the meeting go into closed session to enable discussion of this information.

Legal Implications

35. 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

36. 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 17 June 2021; and
- iii) Decide the way forward for any future scrutiny of the issues discussed.

DAVINA FIORE

Director of Governance & Legal Services

11 June 2021