

Date: 25 October 2023

Councillor Burke
Cabinet Member
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Public Letter

Dear Councillor Burke,

ST. DAVID'S HALL

Our thanks to you, Neil Hanratty, Chris Barnett, Ruth Cayford, Richard Crook, Donna Jones, Eirian Jones, and Kathryn Richards, as well as Scott Couzens from Bevan Brittan LLP and Chris Pembridge from WSP, for attending committee to answer our questions about the proposals for St. David's Hall set out in the report to Cabinet.

Overall, Members support the recommendations to Cabinet albeit with a minority view expressed by Cllr Berman and Cllr Shimmin, as set out at the end of this letter. Members are particularly struck by the fact that the Council's position has been strengthened by the dedicated work of officers in building relationships and we wish to commend officers for this.

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

Staffing

Members explored how the proposals for St. David's Hall affect staffing and note:

- TUPE is unlikely to apply, and that staff and unions are aware of and are comfortable with this

- Temporary staff with 2 years or less service will be assisted to look for opportunities elsewhere in the Council
- Casual staff who have been working for council for a long time will be eligible for redeployment and voluntary severance
- redeployment guarantees cannot be given but the Council will do its utmost to maximise redeployment
- 20 out of 29 full time staff have expressed an interest in VS.

Members note and welcome the supportive approach being taken to all staff at St. David's Hall, with briefings, training and assistance available to staff alongside regular communication with staff and their representatives to assist the process of redeployment and voluntary severance.

Roof Repairs

Members note the results of the Intrusive Surveys and thank Chris Pembridge for his explanations. Members note the proposed approach to close St. David's Hall and undertake other refurbishment works alongside roof repairs, including removal of RAAC planks.

Given the demand across the UK for RAAC removal, Members were pleased to hear that a general contractor can undertake this work, albeit with awareness of the need to cope with potential sudden collapse as RAAC planks are removed. Members note Chris Pembridge's points that, across the UK, several public sector projects have been cancelled, meaning contractors should be available to undertake work to St. David's Hall in a timely manner.

Acoustics

Members were interested to understand whether the removal of RAAC planks will adversely impact the acoustics of St. David's Hall and are pleased to hear that the reverse may be true as it may be possible for the replacement roof to utilise materials that assist the acoustics. Notwithstanding this, Members note that any works will be subject to approval by a sound engineer, that AMG remain liable for any costs of remedial works required to ensure acoustic quality is kept, and that the Council will have sufficient levers in place to ensure this.

Working Group

Members were interested to understand the key issue to ensuring St. David's Hall re-opens as quickly as possible is determining whether planning permission or conservation permission is the lead issue. Members are therefore supportive of the plan to establish a working group consisting of AMG and Council officers including planning officers, conservation officers, and economic development officers.

Members note there is no requirement for council finance officers as AMG are meeting the costs and so will have their own finance advisors.

Members were pleased to hear officers recognise the need to involve stakeholders to ensure proposed acoustic works are appropriate.

Best Consideration

Members note Point 55, Legal Implications of the report to Cabinet, highlights the need for Cabinet to remain satisfied that the proposals still meet the best consideration duty. Having explored this at the meeting, Members note the previous KC advice, JLL valuation and Bevan Britten advice applies, and that the solidification of the risk regarding RAAC worsens AMG's position, as costs have increased, whilst improving the Council's position, meaning the route proposed remain appropriate.

Costs to Council

Members note AMG are bearing the costs of the roof repairs and refurbishment, with no costs to the Council.

Members note the only additional cost to the Council is the costs of voluntary severance where agreed.

Implications of delay re achieving budget savings

Members are aware that the proposed transfer of St. David's Hall to AMG was intended to deliver savings in 2023/24, which are no longer deliverable. Members note the Director of Economic Development is working with finance colleagues to smooth off issues in-year, but that the lack of savings from this proposal is causing real issues and will continue to cause issues next year and until St. David's Hall is transferred.

Seeking UK/WG contribution

Members asked whether there has been an approach to Welsh Government and/ or the UK Government to seek financial support to deal with RAAC at St. David's Hall, given that the issue of RAAC is a nation-wide issue, with nation-wide Health and Safety Executive guidance about how to judge and manage risks. Members note that there had been a previous approach to Welsh Government and Arts Council of Wales, in December 2022, which had been unsuccessful. Members also note the Director of Economic Development's view that any approach is likely to be unsuccessful, partly because it is known that AMG are prepared to cover this cost as part of the transfer lease, and partly because the resource is not available.

Arts Active

Members are delighted to note that Arts Active services are protected and will continue to operate throughout the closure of St. David's Hall, contributing to work to deliver the Music Strategy.

Protecting the Classical Ecosystem

Members are pleased there is recognition of the need to protect the ecosystem that St. David's Hall supports, whilst it is closed, including audiences, orchestras and musicians as well as relationships with promoters and performers. Members note a classical music stakeholder group has been working with the Council on the Memorandum of Understanding and will be meeting to work on protecting this ecosystem not least so that it is ready when St. David's Hall re-opens. Members also note that to date, promoters have been understanding and supportive and have worked with the Council to find suitable alternative venues wherever possible.

RAAC in other buildings

Members note that survey work across the whole Council estate to identify RAAC is due to finish at the end of October and there will be a report detailing results and that, to date, no RAAC has been found in the Council's estate, including schools.

Members were interested in the process for dealing with RAAC in non-Council buildings and note that the revised Health and Safety Executive guidance regarding

RAAC applies to all properties and that their building managers are responsible for ensuring this guidance is followed.

Minority View

Cllr Berman and Cllr Shimmin have asked that their minority view be captured in this letter, which is that they still regret the Council is looking at handing over control of St. David's Hall to a private company and that particularly now it is more apparent that this is a national problem which is largely driving the financial issues, there really should be a national funding solution.

My thanks again to you, Scott Couzens, Chris Pembridge, and officers for attending Committee and answering our queries.

This letter does not contain any requests for further information or recommendations and so does not require a response.

Yours sincerely,



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

cc Members of the Economy & Culture Scrutiny Committee
Cllr Joel Williams – Chair, Policy Review and Performance Scrutiny Committee
Group Leaders - Cllr Lancaster, Cllr Berman, Cllr Gibson
Gavin McArthur – Chair, Governance & Audit Committee
Neil Hanratty Chris Barnett Ruth Cayford Richard Crook
Donna Jones Eirian Jones Kathryn Richards
Scott Couzens – Bevan Brittan LLP
Chris Pembridge - WSP
Mel Jackson Clair James
Claire Deguara
Chris Pyke Tim Gordon Jeremy Rhys