

**The Highland Council
City of Inverness Area Committee**

Minutes of Meeting of the **Inverness City Arts Working Group** held in the First Floor Committee Room, Town House, Inverness, on Friday, 24 January 2014, at 9.30 am.

Present:

Mr K Gowans (Chair)	Mr T Prag
Mr I Brown	Mr G Ross
Mrs B McAllister	

Also in attendance:

Mr S Blair, Creative Scotland
Ms M Bourne, Appointed Artist (River Connections Brief)

Officials in attendance:

Mr D Haas, Inverness City Manager
Ms C Shankland, High Life Highland (Acting Project Manager)
Ms C Stewart, Contracts Officer
Mr G Fyfe, Public Relations Manager
Mrs R Moir, Principal Committee Administrator

1. Apologies for Absence

There were no apologies for absence.

2. Exclusion of the Public

The Working Group **RESOLVED** that, under Section 50(A) of the Local Government (Scotland) Act 1973, the public be excluded from the meeting during discussion of the following items on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 6 and 9 of Part 1 of Schedule 7A of the Act.

3. Declarations of Interest

Mr K Gowans – items 4 & 11 (financial and non-financial)
Mr G Ross – item 4 (non-financial)

4. Project Management Report

Declarations of Interest

Mr K Gowans declared a financial interest in this item on the grounds that his wife was an employee of High Life Highland but, having applied the test outlined in Paragraphs 5.2, 5.3 and 5.6 of the Councillors' Code

of Conduct, concluded that this interest was so remote or insignificant that it did not preclude his involvement in the discussion. He also declared a non-financial interest in this item as a Director of High Life Highland but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interest did not preclude his involvement in the discussion.

Mr G Ross declared a non-financial interest in this item on the grounds of having a close relative who was a local artist but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interest did not preclude his involvement in the discussion.

There had been circulated Report No ICArts 1/14 by the Inverness City Manager updating Members on progress on the River Connections Project Programme (the Project Programme) in meeting the criteria set by the City of Inverness Area Committee for the provision of public art as part of the River Ness Flood Alleviation Scheme.

i. Project Progress – Briefs Yet to be Awarded (The Trail, The Gathering Place; Rest Spaces; The Sculptural Destination)

The report advised that, following due tender process in relation to The Trail project, the Evaluation Panel had met on 9 December 2013. Two tenders submitted had been rejected as failing to meet the criteria. An alternative approach was being taken to re-advertising the tender process, with a closing date of 11 February 2014.

The report further advised that the Acting Project Manager had developed the briefs for the remaining three projects and the tenders submitted, based on 99% Quality, had been assessed on 16 January 2014 by an enhanced Evaluation Panel comprising Mr Diarmaid Lawlor (Architecture Design Scotland), Dr Ken Neil (Glasgow School of Art), Mr Mark Lomax (Inverness College), Mr Jim Mooney (Former Member of the Royal College of Art) and Mr Colin Howell (Project Design Unit Manager, TEC Services). The Panel had scored the responses submitted to a set of weighted questions, as set out in the report.

The Panel had recommended that three artists who had submitted tenders for the Gathering Place should go forward to the next stage, the Design Competition. The Panel had agreed, however, that none of the applications for the remaining lots be recommended for the next stage. The Rest Spaces and Sculptural Destination commissions would therefore be re-tendered.

The report commented that, while there had been approximately 30 registrations of interest for each commission on the Public Contracts Scotland (PCS) website, a disappointing number of applications had in the end been received. Feedback suggested that the artists had been put off by the rigours of the PCS procurement process. Discussions were being held with the Council's Procurement Unit with the aim of

relaxing the requirements imposed, in order to align with more traditional procurement of art projects and encourage a stronger response to the re-tender exercise. Efforts were being made to make the revised process more accessible, user-friendly and flexible, including through having a redesigned web page, which was shown to Members. More opportunity would be given for artists' queries to be addressed through direct personal contact with the Acting Project Manager and for tenders to be submitted by means other than via the website.

During discussion, the Chair reminded Members that the Working Group had previously agreed at its meeting on 7 August 2013 that an independent advisory Selection Panel be established, comprising three individuals with appropriate expertise in the field of public art, to evaluate artists' submissions in response to the approved Artist Briefs, and to bring a recommendation in respect of each Brief to the Working Group for final approval. The Working Group had also agreed to delegate authority to the Inverness City Manager, in consultation with the Chair and Vice Chair, to finalise the Panel membership. The Chair expressed concern that four rather than three independent experts had sat on the 16 January Evaluation Panel, and also that he had not been consulted on this change; he questioned the competence of this course of action. The Inverness City Manager assured the Working Group that his actions had been competent in terms of governance and had been designed to give additional protection to the project and to the Council's interests. The opportunity had arisen to strengthen the Panel further through the addition of an individual, not previously available, whose specialist skills in the design of public open space complemented the skill sets of the other Panel members. Other Working Group Members commented that the resulting make-up of the Panel appeared to be positive.

Following discussion, the Working Group **NOTED**:

- i. the progress being made on the appointment of an Artist for The Trail project;
- ii. the progress being made on the appointment of Artists, as recommended by the procurement Evaluation Panel, for the other three projects: The Gathering Place, Rest Spaces and The Sculptural Destination; and
- iii. the comments made relating to governance.

ii. River Connections

At its meeting held on 17 October 2013, the Working Group had approved the award of tender for the River Connections Artist Contract to Ms Mary Bourne.

The circulated report highlighted the importance of community engagement in the development of the project; drew attention to the various consultation meetings that had taken place with a wide range of local interests; and confirmed that more community consultation was

planned. The research being gathered was being documented to act as a record and a resource for future artists working on the project, and for evaluation purposes.

The report also highlighted proposals under discussion for the erection of a Worker's Memorial at the riverside. A meeting had been held between the artist, the acting Project Manager, Cllr. Fraser Parr and Mr Bill Anderson of ACATT/ Inverness and District Trades Union Council. A budget of £5,000 was available for the project and, after discussion with the artist, it appeared that the materials and design of the memorial could be integrated easily with the designs for River Connections.

In speaking to the report, the Acting Project Manager underlined the degree of community engagement and consultation that had already taken place with a wide range of local organisations and interests. Further meetings and discussions were planned.

Ms Bourne gave a presentation on the progress being made on her development of the River Connections project. Having shown images of some examples of her previous work, she set out a number of her ideas for the current project, emphasising the influence and inspiration of local geographical and historical factors in her designs, drawing on both natural and human history.

She also recognised the practical importance of integrating with the flood prevention works at the earliest opportunity. One major consideration would be to learn as soon as possible what type of stone was to be selected for the flood wall coping; it was important to know whether or not this would be susceptible to being carved, as this would influence how elements of the art proposals – e.g. the use of text - could be developed and incorporated. Liaison with the other art commissions would also be key, and it would be particularly helpful if the locations for the Gathering Place and the Sculptural Destination could be identified as soon as possible. In addition, Ms Bourne confirmed that she would be happy to work with the Worker's Memorial proposal.

In showing a number of images/sketches of her ideas, Ms Bourne outlined her thoughts on issues such as:

- interpretation of three distinct areas: Bank Street, as a gateway for visitors and locals; Huntly Street, as part of a central circular walk; and Friars' Shott, as a green space with historical significance
- recognition of the river's connections to both the upstream land and the downstream open sea and wider world
- use of the Gaelic language
- the potential for working with local artists such as Highland Printmakers
- the need to consider access issues, e.g. for the visually impaired

During discussion, Members recognised the value of:

- early clarification of the stone to be used in the flood walls, while recognising, however, that this had to meet essential engineering specifications
- continuing to work with the local community in Merkinch
- taking into account the practical impact of ongoing public interaction with the art works, once installed.

Members signified their positive reaction to the vision presented and confirmed that they did not consider it necessary for Ms Bourne to seek further authorisation for its detailed development.

Mr S Blair of Creative Scotland confirmed that his organisation was encouraged by the progress being made and reiterated the importance of having the other commissions in place as soon as possible.

After discussion, the Working Group **NOTED** the progress made and **APPROVED**:

- i. the artist's designs for the River Connections commission;
- ii. the integration of the Worker's Memorial with the River Connections commission; and
- iii. the allocation of support from available funds – in principle £5,000 – towards the Workers Memorial, to match funds raised by the Trades Union Council.

iii. **Other Project Activity**

The report drew attention to two other proposed projects, to be implemented in-house under guidance from the Acting Project Manager, due to their compact scope:

- Public Art River Event (with a reduced budget)
- School Participatory Project with Architecture+Design Scotland (with a realigned budget reflecting educational outcomes pertinent to the aims and objectives of the project)

The Working Group **NOTED** that these projects would be the subject of a further report to this Working Group.

iv. **Funding**

The report confirmed the funding figures and sources for the overall project, including an element from the Inverness Common Good Fund, highlighting that only a further £25,000 was required to reach the full target figure of £740,900. The report also confirmed that the target date for submission of the Stage 2 application to Creative Scotland was February 2014. This would include a detailed Project Programme, featuring information about the procurement process and proposed artists, together with all detailed project briefs, a cash flow statement and a detailed timetable. Through dialogue, Creative Scotland had

recognised that more time might be required; however, this would be subject to the success of artist procurement for each of the work streams.

The Working Group **NOTED** the position and **AGREED** that, once the outcome of the Stage 2 Application being made to Creative Scotland was known, a report be prepared for the City of Inverness Area Committee updating the Committee on progress and inviting Members to confirm funding from the City of Inverness Common Good Fund, as appropriate.

v. Update on delivery of the River Ness Flood Alleviation Scheme

The report provided an update on the delivery of the River Ness Flood Alleviation Scheme, advising that Phase 1 of the Scheme, from Ness Bridge to Friars Bridge, was now in week 25 of a 78 week contract, with completion currently programmed for March 2015. Problems encountered on the East bank, where unforeseen large boulders had obstructed the installation of the sheet piles, had been addressed and sheet piling would re-commence in Bank Street in the coming weeks.

Whilst it had been the intention to remove all traffic management on Bank Street during the upcoming Kessock Bridge works, this would now be retained and the traffic monitored, to permit the Bank Street construction works to proceed, thus mitigating the delays experienced. Works were also progressing concurrently on Huntly Street.

Phase 2 of the Scheme, from Friars Bridge to the harbour area, had now been tendered and the tenders submitted were receiving consideration.

It was anticipated that the contract would be awarded in the near future, with works programmed to run from March 2014 to the Spring of 2015.

The Working Group **NOTED** the progress being made in the delivery of the River Ness Flood Alleviation Scheme.

5. Project Management – Ramada Commission

At their meeting held on 21 October 2013, the City of Inverness Area Committee had approved the Minutes of the Working Group's meeting of 7 August 2013 on the basis that:

- discussions would be undertaken at an early date with the new owners of the Mercure Hotel in Church Street with regard to the potential resurrection of the previous joint project proposals, initiated with the hotel's previous owners, in relation to improving the façade of the Hotel and contributing to the Streetscape project
- discussions would also be undertaken with Creative Scotland in terms of recovery of a proportion of the grant figure which had previously been awarded in this respect.

At the Working Group's meeting held on 17 October 2013, the Inverness City Manager had re-confirmed the previously reported position on this and had confirmed that, whilst it had not been possible in the interim to pursue the matter further, he remained optimistic that positive progress could be made on both issues, and that he was monitoring the situation.

The City Manager now provided a further update clarifying the limitations to date on availability of staff resources to address this issue, particularly in light of the need to prioritise delivery of the River Connections Project. He assured Members that the matter would be progressed at the earliest opportunity.

The Working Group **NOTED** the position.

6. **Media Relations**

There had been re-circulated copy of the Media Protocol prepared by the Public Relations Manager, previously circulated to the Working Group for its meeting held on 17 October 2013, at which time the Public Relations Manager had unfortunately been unable to attend.

The Public Relations Manager outlined to Members potential opportunities for publicising the appointment of the Artist for the River Connections Project and the launch of the remaining Artist Briefs. He advised Members that the Highland Council website was being redesigned and that in future it would be possible to create micro-sites within it, one of which could be dedicated to the River Connections Project Programme. In the interim, press releases could be published on the main Council website and a link to the tender process for the remaining artists' briefs could be placed on the website's Home page.

Having been reminded that media releases were subject to agreement with Creative Scotland, the Working Group **AGREED** the proposals recommended by the Public Relations Manager and **NOTED** the future opportunity to have a dedicated micro-website.

7. **Financial Monitoring**

At their meeting held on 17 October 2013, the Working Group had noted that a dedicated and detailed management accounting system was being developed for the project, and that a formal financial Monitoring Statement would be submitted to future meetings of the Working Group.

There had been circulated report by the Inverness City Manager setting out the revenue monitoring position for the period to 31 December 2013 and showing the actual expenditure to date.

The Working Group **NOTED** the position.

8. **Minutes**

There had been circulated and were **NOTED** the minutes of meeting of the

Working Group held on Wednesday, 17 October 2013, which would be presented to the City of Inverness Area Committee at its meeting on 4 March 2014.

Members **NOTED** the position.

9. Date of Next Meeting

The Working Group **NOTED** that its next meeting was scheduled to be held on 6 March 2014.

10. River Ness Public Art Programme – Project Management - Update

Mr S Blair and Ms M Bourne, together with all officers other than the Inverness City Manager and the Principal Committee Administrator, left the room during discussion of this item.

Mr K Gowans declared a financial interest in this item on the grounds that his wife was an employee of High Life Highland but, having applied the test outlined in Paragraphs 5.2, 5.3 and 5.6 of the Councillors' Code of Conduct, concluded that this interest was so remote or insignificant that it did not preclude his involvement in the discussion. He also declared a non-financial interest in this item as a Director of High Life Highland but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interest did not preclude his involvement in the discussion.

There had been circulated Report No ICArts 02/14 by the Inverness City Manager providing an update on the management review that had been undertaken by officers into the most effective way of managing the Project to conclusion.

The report reminded Members that arrangements had been made with High Life Highland (HLH) for the HLH Exhibitions Officer to assume an interim role on the Curatorial aspects of the Project. This role remained integrated with the Flood Alleviation Scheme Project Management; the Project Design Unit Manager continued to lead on procurement issues; and the Inverness City Manager continued to take an oversight role as lead officer. This arrangement had to date proved effective and the main funding partner, Creative Scotland, had intimated support for its continuation, based on the engagement of a Lead Artist. The breakdown of roles would be based on the structure agreed by the City of Inverness Area Committee on 15 April 2013, with the Lead Artist providing the essential link between the Curatorial role, provided by the Exhibitions Officer, and the artists who would be delivering the individual elements of the Project.

The project team were currently focussed on appointing the artists for the remaining Briefs and preparation and submission of the Stage 2 Creative Scotland application. Once this was drafted, there would be a 2/3 month period during which arrangements would be made to select a Lead Artist through a mini competition to be held between the various artists selected for

the delivery of the project programme. The report outlined the projected costs of this arrangement, whose flexibility would mean that these could be met from the project budget. It would also allow the project to obtain the assistance of professionals with the right skills mix to lead on the curatorial role and day to day project management. The Inverness City Manager had discussed the proposals with both the Project Design Unit Manager and HLH, and there was consensus that this remained the best available solution for the delivery of the Project. The intention was to proceed to conclude arrangements with HLH for the project period of 2.5 years, providing for the application of the Collaborative Arrangement to March 2016.

After discussion, having taken cost/benefit considerations into careful account, the Working Group **APPROVED** delivery of the Project through to 31 March 2016 utilising the current project management arrangements (the Collaborative Arrangement), subject to the appointment of a Lead Artist and to the Inverness City Manager and High Life Highland finalising the terms of engagement of the Exhibitions Officer for the duration of the project.

The meeting ended at 11.20 a.m.