

**City of Inverness Area Committee
Inverness City Arts Working Group**

Minutes of the Meeting of the **Inverness City Arts Working Group** held in Second Floor Committee Room, Town House, Inverness on Tuesday 17 September 2019 at 2.00pm.

Present:

Mrs H Carmichael
Mrs I Mackenzie
Mr G Ross

In Attendance:

Mr D Haas, Inverness City Area Manager
Ms Joanne Duggan, Project Manager
Mr Jason Kelman, Principal Project Manager
Ms F MacBain, Committee Administrator, Chief Executive's Service

Also in attendance:

Ms C Shankland, Exhibitions Officer, High Life Highland

Mrs I MacKenzie in the Chair

Preliminaries

The Project Management Team in Property, and various colleagues from other services, were thanked for the preparation work for the special City of Inverness and Area (CIA) Committee meeting on 20 August 2019.

1. Apologies for Absence

Apologies were submitted on behalf of Mr I Brown.

2. Declaration of Interest

Item 5 – Mr G Ross (non-financial)

3. Exclusion of the Public

The 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 in respect of any issues relating to the circumstances of third parties on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 6 and 9 Part 1 of schedule 7A of the Act.

4. Actions from Previous Minutes

There had been circulated for noting the minutes of the Working Groups held on 27

August 2019. The City Area Manager highlighted progress on actions agreed at the last meeting as follows:

- With reference to the discussions held at the special meeting of the CIA Committee on 20 August 2019, the City Area Manager reiterated that all work to date had been undertaken correctly and due process had been applied. Members emphasised that due governance had been applied to all aspects of the Group's work to date and that the projects would be taken forward under the guidance of the Group as agreed by the CIA Committee, with a focus on the future.
- Rest Spaces and My Ness updates were on the agenda.

Members **NOTED** the minutes and actions.

5. River Connections Public Art Project Programme

Declaration of Interest – 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 him from taking part in the discussion.

There had been circulated Report No ICArts 07/19 by the Inverness City Area Manager dated 10 September 2019. Members were updated on the progress made on the Project Programme since the last Working Group meeting.

My Ness

Issues were considered as follows:

- Work had been undertaken, with engagement with the Artist, to develop a credible new proposal, for which details had been circulated, along with a draft email to Creative Scotland detailing the changes.
- Also circulated was a spreadsheet detailing the original proposal prior to the Special CIA Committee on 20 August 2019. This proposal had been compliant with disability discrimination requirements in that reasonable steps had been taken to allow access to the structure. However, it had been noted at the CIA Committee on 20 August 2019 that although the structure met legal requirements for access, it did not include adequate turning space for a wheelchair and a new proposal to include this had been requested. Specific reference was made to the minutes of the meeting on 20 August 2019 in which this was explained. It was emphasised that the original proposal was compliant with accessibility requirements and the new request from Members for a turning space was additional. At the Working Group meeting on 27 August 2019, Members had asked officers to establish the affordability of the additional requirements.
- Use of the word 'fully' to describe accessibility should be avoided due to its ambiguity.
- The new proposal would require to be considered by the Disability Access Panel and it was explained that most buildings and structures had to be considered on their individual features and uses before decisions could be made on the level of accessibility each one required.
- The new proposal and any additional cost would be checked with the Council's

Chief Executive.

- It was important that every step of the process was well documented.
- As 1500cm was considered an industry standard width for wheelchair turning points, this being adequate to accommodate around 75-80% of wheelchairs, the new proposal was based on the platform being gradually widened to 1500cm at its furthest end. The graduated platform would also provide some passing room.
- Prams and buggies had also been mentioned in relation to the turning space but efforts were focusing on wheelchairs to facilitate wheelchair users turning if unaccompanied, whereas prams would always have someone to pull them backwards off the platform.
- The new proposal would have to be checked to ensure it remained compliant with the already-agreed Planning permission, and it was anticipated this would be the case due to the minor nature of the proposed changes. If a new planning application was required, further consultation with the Working Group would be undertaken as this would have additional cost implications.
- In due course appropriate signage would be erected, including safety issues.
- It was hoped that agreement could be sought from the Common Good Fund Sub Committee for the £5k that had been awarded for a path to the Children's Water Feature (CWF) could be used for a path to My Ness.
- If the new proposal was agreed by all relevant parties, a site visit could be arranged if Members so wished.
- The original proposal had a cost of approximately £195k, which was for pre-cast concrete clad in stone. A clad in stone steel option had been priced at £6.5k less but the maintenance costs over the long term would have been higher, making steel the less attractive option financially in the long term. The cost of the new proposal, with the additional turning space, was a fixed price of £227,989 plus Artist fees of £13,200. By cancelling the Trail and the CWF, there remained £231,343 in the budget, giving a shortfall of £9,846. There would also be an element of risk given there was no contingency fund for unexpected additional costs (there would normally be a 10% contingency for this type of contract).
- The City Area Manager outlined a proposal being put to Creative Scotland for them to underwrite the cost of the project, pending them accepting that the proposed adjustments were reasonable, something which had been accepted in principle subject to the educational element of the CWF being incorporated elsewhere, but now required a concrete proposal being put to them. The incorporation of the educational element from the CWF into My Ness, for example through engravings on paving stones, would have to be confirmed with the Artist, and any additional costs of that taken into account.
- It was clarified that even without the additional cost of the turning space, advice would have been to cancel the CWF due to the project being over budget, in part as a result of the budgets having been set seven years earlier and the projects having taken considerably longer than anticipated to develop.
- In response to suggestion that the platform length be reduced to compensate for the additional cost of the added width to accommodate the turning space, it was explained that the platform length had already been reduced significantly to lower the cost and it would not be appropriate to reduce it further.

Rest Spaces

- Slides were shown with visual representation of the structure in three locations. Following discussion of the three sites, Members expressed a unanimous preference for one option around a small shallow lochan, with a decision on the exact location of structure on the lochan to be delegated to officers.
- It had previously been agreed, following consultation with the Access Panel, that this structure was not suitable for wheelchair access.
- Installation of the structure was being remitted to the West Link project, which also incorporated a path network in the vicinity, plans for which would be sourced for the next meeting of the Working Group. The City Area Manager would discuss publicity and information communication on this, and on My Ness proposals, with the Corporate Communications and Resilience Manager.
- The City Area Manager explained the next steps would be to consult with the Artist and invite him to visit the site, to clarify the proximity of paths, then to arrange a site visit for Members if required.

Fisherman's Hut

The City Area Manager summarised a recent meeting with a representative of the Ness Angling Club at which he had explained there was no funding available from the Council for their hut re-design but that assistance would be provided by Council officers to source and apply for other sources of funding including the Inverness Common Good Fund. Plans for the new hut were based on a similar design to the existing hut, but larger, and this would have to be checked with Planning due to the hut being located in a conservation area. A further meeting was planned in early October 2019 and it was unlikely that work would start until around April 2020 due to the risk of severe weather and winter high tides. The window of opportunity for construction from a fishing viewpoint was March to June 2020.

Members, subject to engagement with Access Panel on My Ness and to funding being confirmed:

- i. **AGREED** and **APPROVED** the new site for the Rest Space 'Explore,' this being the option on Loch Na Sanais.
- ii. **APPROVED** the recommendations to cancel the Children's Water Feature and explore the option to continue with some elements as an education project.
- iii. **APPROVED** the revised plans for 'My Ness' (the Gathering Place) subject to confirmation on statutory consent required being obtained and to confirmation that the revised plans could be delivered within the available budget.
- iv. **APPROVED** the recommendation to cancel the Trail and reallocate the budget to 'My Ness.'

6. Financial Monitoring

There had been circulated Report No ICArts 08/19 by the Inverness City Area Manager dated 10 September 2019. The report set out the revenue monitoring position for the period to 31 August 2019 and showed the actual expenditure to date.

Members scrutinised and **NOTED** the report.

7. Press relations and forthcoming PR opportunities and risks

Members **NOTED** that the City Area Manager would discuss with the Corporate Communications Manager appropriate media coverage.

8. Date of Next Meeting

Members **NOTED** the date of the next Meeting was Tuesday 12 November 2019, Second Floor Committee Room, Town House, Inverness.

The meeting ended at 4.10pm.