

**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 Thursday, 17 October 2013, at 10.00 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

Officials in attendance:

Mr W Gilfillan, Corporate Manager
Mr D Haas, Inverness City Manager
Mr C Howell, Project Design Unit Manager, TEC Services
Ms C Shankland, High Life Highland (Interim Acting Project 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 – item 5 (non-financial)
Mr G Ross – item 5 (non-financial)

4. Flood Alleviation Scheme – Project Progress to Date

The Project Design Unit Manager updated Members on progress with the Flood Alleviation Scheme (FAS) and how this tied in with the proposed City Art projects. In particular, the Project Design Unit Manager confirmed that:-

- The Phase 1 contract had been awarded to the Morgan Sindall Group plc.

- Morgan Sindall had intimated that a number of sub-contractors approached at tender stage had withdrawn from the project and others were currently being sought; this was impacting on progress on site.
- The piling phase had commenced and was progressing well.
- Whilst the limited progress to date had been disappointing, the resulting slippage could benefit coordination of the art and construction projects.
- Queries/complaints from the public had been limited
- The early delays could be made up through re-programming and the intention was still to complete by March 2015, whilst acknowledging that all construction projects could encounter unforeseen issues.
- The Phase 2 tenders would be issued on 21 November, with award anticipated by Christmas and an intended start date of January 2014.

The Project Design Unit Manager advised that, following a recent public meeting, possible mitigation of the proposed parking restrictions on Huntly Street was being explored. Members would be briefed prior to another public meeting being held.

He also assured Members that robust yet flexible arrangements were in place to ensure effective liaison with all artists that might become involved and also with the main construction team.

After discussion, Members **NOTED** the current position.

5. Project Management Report

Declarations of Interest

Mr K Gowans 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 13/13 by the Inverness City Manager updating Members on the progress of 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. River Ness Public Art Programme – Project Management Programme and Action Plan Update

The report confirmed that the tender for the post of Project Manager had been advertised on the Public Contracts Scotland website with a closing date of 23 September 2013, at which date no tender submissions had been received. The contract had been re-advertised on the Public

Contracts Scotland website on 30 September, with a tender return date of 28 October. In addition, notices had been placed on art-related websites and a list of companies to be approached passed to Procurement.

The tender was based on 80% Quality and 20% Price, with the Quality aspect of the tender to be assessed by an evaluation panel consisting of Ken Neil (Glasgow School of Art), Diarmaid Lawlor (Architecture+Design Scotland), the Project Design Unit Manager, TEC Services, and the Inverness City Manager. The panel would score the responses submitted by the tenderers to a set of weighted questions, as outlined in the report. Following scoring, if required, a shortlist of tenderers would be asked to attend a clarification interview on 8 November, all with a view to tender award by end November and a Project Manager start date in January 2014.

There was also an aspiration that the “external” Evaluators would actively champion the project and so help to encourage responses to this tender and to the remaining artist briefs (item 5iii below refers).

In the meantime, Members welcomed High Life Highland’s agreement to the continuing involvement of its Exhibitions Officer in the role of Interim Acting Project Manager (IAPM). The requirements of this role included: the finalisation of the remaining artist briefs (item 5iii below refers); the drafting of the Stage 2 funding application to Creative Scotland; and the establishment of a full set of management accounts (item 7 below refers).

After discussion, Members **NOTED** the progress on the appointment of a Project Manager.

ii. **River Connections Contract – Artist Appointment**

The report confirmed that tenders for the River Connections brief had originally been advertised on the Public Contracts Scotland website with a closing date of 5 September 2013. However, as the Contract document had been considered not to have provided enough information for evaluators to make a reasonable assessment, further work had been done to refine the evaluation process and the tender had been re-advertised on the Public Contracts Scotland website with a closing date of 1 October 2013. In addition, a number of artists had been approached directly and made aware of the project.

The tender had been based on 99% Quality and this had been assessed by an Evaluation Panel comprising Dr Ken Neil (Glasgow School of Art), Mark Lomax (Inverness College), Jim Mooney (Former Member of the Royal College of Art) and Colin Howell (Project Design Unit Manager, TEC Services). The Panel had scored the responses submitted by six tenderers to a set of weighted questions, as set out in the report. Two tenderers had emerged as strong contenders and had attended clarification interviews with the panel, who had then re-

evaluated the responses submitted and had identified the preferred candidate, Mary Bourne. Mr S Blair confirmed that Creative Scotland was content with the robustness of the process followed.

A copy of Ms Bourne's PowerPoint presentation to the Evaluation Panel was shown to the Working Group. Members were impressed not only by the evidence given as to the quality of her previous work, but also by her evident grasp of the basic vision underpinning the current project, the research she had already undertaken, her open-mindedness, her commitment to community engagement and consultation, her interest in mentoring, and her recognition of the need to work positively with the construction project as well as with other artists contributing to the overall realisation of the wider art project.

During discussion, emphasis was placed on the need for meaningful community consultation; it was important that this should not be merely tokenistic. The suggestion of working with primary as well as secondary schools was welcomed, as were the potential benefits to be gained from creative dialogue between the artists commissioned for the various project elements and the establishment of some degree of thematic commonality in the project realisation.

After discussion, Members **APPROVED** the award of tender for the River Connections Artist Contract to Mary Bourne.

iii. **Remaining Briefs – Programme and Action Plan**

Briefs for the remaining projects, as below, had been prepared by the IAPM and were appended to the report:

- The Trail
- Riverside Rest Spaces
- The Sculptural Destination
- The Gathering Place

The IAPM and the Project Design Unit Manager outlined the Briefs, the processes being undertaken to ensure that Procurement standards would be met, and the steps being taken to spread awareness of the projects and to encourage applications, in particular through Creative Scotland's website. Once the Briefs had been approved, Procurement would produce tender documents, following the same process as the River Connections tender. It was again envisaged that shortlisted candidates would be invited to attend a clarification interview for further exploration of their ideas and approach to the brief. The Evaluation Panel and the weighted questions for tenderers would remain similar, to ensure consistency.

The suggestion was made that there would be benefit in Members approving the grant of a small payment to shortlisted candidates of seed money, of up to £500, to assist them in preparing their interview presentation. It was recognised that a higher sum of up to £1500 might

be appropriate for those bidding for the Gathering Place tender, given the likely scale of that project and the potential for greater engineering complexity. Reference to this funding in the project Briefs could help to encourage tender submissions. Spreading confidence in the project generally should also reassure the art world and encourage applications. Effective publicity for the first tender award should contribute to this confidence, as should the involvement and commitment of the members of the Evaluation Panel. There could also be benefit in seeking feedback from any artists making an initial expression of interest but not following through to actual tender submission.

During discussion, the Project Design Unit Manager indicated the intention to launch all four remaining Briefs as soon as possible. It was important to get an early idea of the overall project development, not least in order to inform the Stage 2 funding application to Creative Scotland. At the same time, however, there was recognition of the interconnection between the different Briefs and how this could impact on the timing of their delivery; for example, finalisation of the Trail brief might need to take account of the proposals presented for delivery of the others. Timescales would therefore have to be carefully managed.

In reviewing each individual Brief, emphasis was placed on the need for care to be taken to ensure that any examples or specific references made within these documents should not hinder the creativity of artists when formulating proposals. In particular, there was a general recognition that the word “seating” should be removed from the Riverside Rest Spaces Brief, albeit that interpreting the concept of “rest” might well produce design outcomes incorporating some form of seating. In this context, Members were advised of the separate intention, in any case, for the Flood Alleviation Project to include elements of public seating. The issue of their interaction with the art project could be the subject of discussion and liaison. Similarly, the concept for the Gathering Place had to be technically deliverable and robust and would require particularly close liaison, given its likely engineering complexity.

Other points raised in discussion included:

- the reference to “lighthouse” in the Sculptural Destination Brief should more accurately read “beacon”
- there should be clarity that a single sculptural work was being sought
- there could be benefit to prospective artists in indicating in the Brief potential locations for the Gathering Place, as well as highlighting associated engineering constraints.

The need to consider the sustainability and ongoing maintenance requirements of the various installations, in particular the Gathering Place, was also emphasised. These were considerations that artists should be encouraged to take into account and that would feature in the tender evaluation process. A maintenance plan should be drawn up

and further consideration should be given to future maintenance funding.

Attention was also drawn to the importance of the Ness Islands to the river experience, albeit that these lay outwith the Flood Alleviation Project area. There was a general view that the project programme should acknowledge this importance and reference the Islands in some way.

Following discussion, Members **APPROVED** in principle the artist briefs and evaluation criteria, as circulated, subject to comments as set out above, for:

- The Trail
- Riverside Rest Spaces
- The Sculptural Destination
- The Gathering Place

Members **AGREED**:

- i. that it be remitted to the Inverness City Manager and the Interim Acting Project Manager to finalise the remaining Briefs in light of Members' comments, with a view to early production and publication of the relevant tender documents; and
- ii. to offer a small grant of up to £500 per submission to shortlisted candidates towards their preparation for interview, with the exception of submissions for the Gathering Place, when the sum might be increased to £1500, all as discussed.

6. Media Relations

There had been circulated copy of the Media Protocol prepared by the Public Relations Manager. Unfortunately, the latter had been unable to attend this meeting. The Chair and Inverness City Manager planned to meet with him later in the day.

There was a general view that there would be merit in an early, single, press launch for all the remaining artists' briefs, in addition to announcement of the award of the River Connections brief, rather than adoption of a gradualist approach. Practical considerations such as the timetable for submissions and evaluations could be managed separately. Whilst there were short-term staffing pressures in the Council's Public Relations office, it might be that High Life Highland could provide some interim support.

The Working Group **AGREED** to remit further discussion with the Public Relations Manager on the details of the relevant press briefings to the Inverness City Manager, in consultation with the Chair and Creative Scotland.

7. Financial Monitoring

The Working Group **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.

8. Minutes

There had been circulated and were **NOTED** the minutes of meeting of the Working Group held on Wednesday, 7 August 2013, which would be presented to the City of Inverness Area Committee at its forthcoming meeting on 21 October 2013.

Arising from the Minutes, the Inverness City Manager re-confirmed the position, as reported to the previous meeting of the Working Group, in relation to the potential resurrection of the previous joint project proposals for the Mercure Hotel in Church Street. Whilst it had not been possible in the interim to pursue the matter further, he remained optimistic that positive progress could be made on this, and also on recovering a sizeable proportion of the grant figure previously awarded for the original project, and was monitoring the situation.

Members **NOTED** the position.

9. Date of Next Meeting

It was suggested that a suitable date for the next meeting might be in January 2014, to consider the recommendations emerging from the next Procurement round. Whilst information on progress could be emailed to Members in the interim, it was recognised that the main focus of staff time would be on ensuring progress on the project.

The Working Group **NOTED** that Members would be advised of the next meeting date in due course.

The meeting ended at 11.40 a.m.