

Agenda Item	13
Report No	CIA/42/21

THE HIGHLAND COUNCIL

Committee: City of Inverness Area Committee

Date: 18th November 2021

Report Title: Inverness City Arts – Annual Report

Report By: Executive Chief Officer – Communities and Place

1. Purpose/Executive Summary

- 1.1 This is the Annual Report of the Inverness City Arts Working Group (ICArts). Update reports have been provided to committee on project progress through the ICArts Working Group Minutes. This report provides a summary of progress and, with the completion of the project, represents the final report on the ICArts Programme.
- 1.2 This report confirms that the governance arrangements set by the Inverness City Area Committee (CIAC) have been met, all as further agreed at a Special Meeting of the Inverness City Area Committee on 20 August 2019 and reported to committee on 19th November 2019. Additional arrangements for improved disabled access were fully funded and incorporated within the Gathering Place (My Ness) Project. The Coronavirus Pandemic resulted in the construction being delayed by approximately 7 months and the total delay amounted to 12 months when site preparation and consents were included. Construction commenced on 12th April 2021 to avoid winter hazards and has taken approximately 6 months.
- 1.3 The objectives set by the CIAC at its meeting held on 1st July 2016 which were not to progress with the Tilting Pier project in favour of an alternative project for the Gathering Place which complied with the original Artist's Brief, have been delivered.
- 1.4 All other approved and fully funded projects under the original Inverness City Arts Project Programme have been concluded. The ICArts Working Group has delivered in terms of the governance set and this report recommends that the Committee notes that the programme has been completed and agrees to dissolve the ICArts Working Group with immediate effect.

2. Recommendations

2.1 Members are asked to:

- i. Note that construction of the Gathering Place Art Installation has been completed in compliance with the adjustments made, following recommendations agreed at the Special meeting of the City of Inverness Area Committee held on 20 August 2019, and as further reported to Committee on 21 November 2019;
- ii. Note that the Inverness City Arts Working Group has discharged all its functions within the rules of governance set by the City of Inverness Area Committee;
- iii. Note that all other approved and fully funded projects under the Inverness City Arts Project Programme, have been concluded all in terms of governance set by the City of Inverness Area Committee;
- iv. Note that governance remains in place in terms of the usual monitoring of contracts and expenditure under the Inverness Common Good Fund to the City of Inverness Area Committee: and
- v. Agree to dissolve the Inverness City Arts Working Group with immediate effect.

3. Implications

3.1 Resource

The total funding available for the River Arts Programme is £0.790m. This includes £0.027m of additional funding from Creative Scotland, to enhance disabled access. The funding partners are:

- Creative Scotland
- City of Inverness Common Good Fund
- Highland Council Cities Gateway and D&I contribution
- Highlands and Islands Enterprise

As reported to CIAC in November 2019, as part of the annual ICArts report, the improved disabled access agreed by CIAC resulted in a funding gap. This was filled by a targeted grant award from Creative Scotland. The project programme has been delivered on budget, all invoices have been processed for payment and the final claims are being prepared to send to Creative Scotland and HIE.

3.2 Legal

With the project fully funded, the build contract for Gathering Place (My Ness) was awarded in February 2020 and following groundwork investigations, and the final design being agreed, work was undertaken off site to construct the Art Piece and construction began in April 2021. There are no known legal implications as a result of the content of this report.

3.3 **Community (Equality, Poverty, Rural and Island)**

The investment made by the Partners is enhancing the River and the Flood Alleviation Scheme which has enabled the River to be even more of an attraction for visitors and locals and so promote the development of the Riverside as recreational space for residents and visitors. The improved disabled access agreed at the Special CIAC Meeting on 20 August 2019 has resulted in greater accessibility for residents and visitors.

3.4 **Climate Change / Carbon Clever**

The flood alleviation works that the Inverness River Arts Project programme (The Project Programme) is associated with demonstrates the Council's commitment to adapting to climate change and adverse weather events. The design of Gathering Place (My Ness) specifically has had safety measures built into the design to take account of potential flooding events.

As part of the planning permission for Gathering Place (My Ness), a formal response was sought from the Flood Risk Management Team and from SEPA. These resulted in proposed conditions for the development which were included as part of the planning permission. The installation of Gathering Place (My Ness) has been carried out in full compliance with all statutory consents. This process included the carrying out of all ecological surveys required under the terms of the statutory consents. The focus being on habitats and trees.

3.5 **Risk**

The delivery of the Project Programme was delayed due to the revision of the Gathering Place Project and by approximately a further 12 months due to COVID-19, site preparation and consents. All funders remained committed to the Project Programme and were kept apprised of progress.

In the interests of clarity, it is important to note that approximately 51 % of the money for the project programme came from Third Party funding and therefore could not be used for any purposes other than the Project Programme. Please see Table 1 in Paragraph 5.2 for further details.

3.6 **Gaelic**

Warning signs at the Gathering Place are to be translated into Gaelic

4. **Background**

4.1 The City of Inverness Area Committee (CIAC) agreed to set up the ICArts Working Group on 3 December 2012. CIAC also agreed a governance framework which would allow the CIAC to scrutinise the operation of the ICArts Working Group and relevant projects. The Working Group comprised of one member from each political group and the City Leader. The working group includes a representative from the main funder, Creative Scotland.

4.2 The following remit for the working group was agreed:

- to agree a draft Action Plan (which would be subject to the approval of the CIAC) and review it on annual basis;
- to apply the decisions of the CIAC in respect of the application of funds from the City of Inverness Common Good Fund given for the purpose of promoting or developing projects involving Public Art for the City Area;
- to provide a framework for project content and community and/or artist engagement to the ICA Programme Delivery Manager, in line with the objectives of the Council's Programme and planning policies;
- to identify opportunities for youth training and employment and provide educational outcomes for local people linking in with the Curriculum for Excellence and the Council's Employability Action Plan; see 6.1.1.
- to scrutinise all aspects of project delivery with the power to request reports on project progress and on revenue budget spend relevant to the governance of the CIAC;
- to provide a governance link to the CIAC – through reports by the Inverness City Manager – on the progress of projects as appropriate.
- to agree options (other than through City Arts Partnership Forum Sessions) for public engagement to enable effective community involvement in projects; and
- to agree the membership and meeting schedule of ICA Partnership Forum Sessions.

4.3 The governance structure for the programme is set out at **Appendix 1**. Further, the report to CIAC on [20 August 2019](#) provided detail on the Working Group's activity in delivery of the remit set out above.

4.4 All fully funded projects under the Inverness City Arts Project Programme have been concluded. The ICArts Working Group has delivered in terms of the governance set and this report recommends that Committee agrees to dissolve the ICArts Working Group with immediate effect, noting that governance remains in place in terms of the usual monitoring of contacts and expenditure under the Inverness Common Good Fund and through CIAC.

5. Financial Overview

5.1 The total funding available for the ICArts programme is now £0.790m. This is package of funding from Inverness Common Good Fund, Creative Scotland, Highlands and islands Enterprise and the Council's Cities Gateway and Development and Infrastructure Service.

5.2 Table 1

Funding Body	Purpose of Funding	Total Funding
Creative Scotland	For project development and also for the Gathering Place – to create a space for the community and	£0.305m

	visitors to enjoy the environment of the river.	
City of Inverness Common Good Fund – Agreed CIAC 8 October 2013	For a programme of activity including a trail, viewing station, seating projects, schools project & sculptural destination. Committee agreement noted meaningful community engagement.	£0.255m (+£0.031m from existing art Programme)
Highland Council – Cities Gateway Fund – Agreed Planning & Development Committee Aug 13	For the Gathering Place and final Trail project	£0.066m
Highland Council – additional allocation Development and Infrastructure Capital Programme	For the Gathering Place and final Trail project	£0.040m
Creative Scotland - Targeted funding - Gathering Place	To enhance disabled access to Gathering Place (My Ness)	£0.027m
Highlands and Islands Enterprise	or the Gathering Place and Trail project. Key deliverables include an art infrastructure project, permanent works, community engagement events	£0.066m
Total funding		£0.790m

5.3 Of the total project funding allocations, the following items can now be drawn down as the project has completed. All other funding allocations have already been received.

- Creative Scotland £161,546
- Inverness Common Good Fund £8,237
- Highlands and Islands Enterprise £55,626

The balance between expenditure and income for cashflow purposes has been funded from Highland Council's general fund.

5.4 The budget update can be found at **Appendix 2** which shows invoices paid up to 3rd November 2021. All invoices have now been processed for payment and the final claims are being prepared to send to Creative Scotland and HIE. The remaining project monitoring will be reported through the ICGF Capital Monitoring report.

6. Project Updates

6.1 Gathering Place (My Ness)

- 6.1.1 The Gathering Place is the centrepiece of River Ness Public Art Project Programme. The purpose of the Gathering Place is to create a structure to bring people together to a special place sited to provide a focal point and an overview of the River Ness. The design is based on the form of an amphitheatre and the circular form is picked up on the opposite bank thereby framing the river. The site is Long Isle Pool, near the Fishermen's Car Park.
- 6.1.2 The last annual report to CIAC in [November 2019](#), updated Members on the new design for Gathering Place (My Ness), with the improved access agreed at the Special Meeting 20 August 2019. The report also noted that the changes to the project programme and the additional requirements agreed by Committee meant that there was a shortfall in the budget. This shortfall was met by a targeted grant fund from Creative Scotland in February 2020, demonstrating their continuing commitment to the project and wish to see completion.
- 6.1.3 In March 2020, the ICArts working group considered a report on the final budget position, noting that the project was fully funded, accordingly gave final approval for the project to proceed. A construction contract was awarded in March 2020 to Simpsons Builders.
- 6.1.4 In March 2020, with the construction contract in place, it was agreed to progress with the Controlled Activities Regulations Licence (CAR Licence) regulated by SEPA and thereafter commence with Bore Holes for ground investigation work. Due to COVID-19 lockdown this didn't happen until August 2020.
- 6.1.5 With the CAR Licence in place and Bore Holes completed, the ICArts Working Group approved the final detailed design at the meeting held on 10th December 2020. The Working Group noted that the final design did not materially differ from the concept design previously approved and that the final design also fell within the terms of all existing statutory consents. The Working Group gave approval to the final detailed design at this meeting and allowed the construction to proceed. Simpsons Builders then proceeded to commence work on fabrication of the Installation off-site and construction on-site began on 12 April 2021.
- 6.1.6 In relation to the on-site construction:
- Construction commenced on 12th April 2021 and was completed on 7 October 2021.
 - Additional costs were incurred as more time was required for piling work, due to a couple of large boulders.
 - Further, river levels were high in May, which resulted in having to re-schedule completion.
 - A Clerk of Works was commissioned to inspect the construction works on a weekly basis.

- A Construction Design and Management Advisor (CDM1) was commissioned to oversee Health and Safety requirements under CDM Regulations 2015
- There were no health and safety accidents or incidents during the constructions works.

6.1.7 The total sum spent on the actual construction cost of the Gathering Place (My Ness) is £262,246 and includes construction of the enhanced access. This is slightly less than the estimated revised costs shown in Table 3 within paragraph 6.1.5 of the ICARTS Annual report and agreed at CIAC on the 21st November 2019. The total revised budget for the Gathering Place is noted in **Appendix 2** and includes targeted funding from Creative Scotland, contingency budget and budget from the aborted arts projects (Children's Water Feature and The Trail (as reported to CIAC on 21-11-19) and the Tilting Pier). All invoices have now been processed for payment and the final claims are being prepared to send to Creative Scotland and HIE. Remaining project monitoring will be reported through the ICGF Capital Monitoring report.

6.1.8 The contingency budget was required, and additional works have been funded from the Gathering Place construction contingency. The details are:

- Additional Pile - £3,278
- Suction Excavation of Piles - £2,208
- Protective handrails - £10,704
- Additional panels in main section - £304
- Anti graffiti paint (sample) - £198
- Collateral Warranty fee - £750

Total Variations = £21,057

6.1.9 Permissions from SEPA and Planning permission remain in place and the final design and installation was undertaken within the agreed Consents.

6.1.10 A timeline for keys dates in 2020-2021 can be found in **Appendix 3**

6.1.11 As reported to this committee in August 2019, the design brief had specified that maintenance should be minimal. Any on-going maintenance, including winter maintenance for all the projects, will therefore be met out of the existing Inverness Common Good Fund Other Properties budget.

6.1.12 The art installations have been constructed in accordance with the design and specification and a Collateral Warranty is in place which secures protection in respect in any defect of design.

6.2 **Educational Opportunities and Gathering Place (My Ness)**

6.1.2 As reported to committee in November 2019, in order to deliver the project programme, a decision was taken not to proceed with the Children's Water Feature. In order to fulfil Creative Scotland's request that the educational benefits of the project should not be

lost with the cancellation of the Children's Water Feature, the education programme has now concentrated on the Gathering Place. Early in the project UHI art students used the design development of the Gathering Place to further their learning, including a student placement at IMAG with the curatorial team and so it is appropriate to build on this relationship now that the project is nearing completion.

6.2.2 The artists, Sans Façon and OSA provided an outline of opportunities available to students, however due to COVID-19, the education programme intended to engage with the construction of the Gathering Place was delayed. However, to coincide with the completion of the structure, combined with the opportunity for the artist, Tristan Surtees, coming to Inverness for a day, an education event was arranged with UHI and Moray College art students. The rest of the team generously expressed their willingness to participate as did Provost Helen Carmichael and Councillor Isabelle Mackenzie. The event was presented as a case study on the process of how and why art in the public realm is conceived, developed and delivered, along with some of the challenges it poses, based on this significant new public work for the City of Inverness.

6.2.3 The Education Day took place on the 19th October and was attended by 25-30 UHI art students and tutors from Inverness, Moray and Perth. The event began with a Site Visit led by artist, Tristan Surtees, and Mark McCann, the Construction Manager from Simpsons Builders and was followed by an Artist's Presentation, Panel Discussion and Q&A session at WASPS studios. The discussion was intended to illustrate the role and experience of each team member, thereby demonstrating the different processes which need to be considered when embarking on an art project in the public realm.

The panel was made up of:

- Artist – Tristan Surtees, Sans Façon and OSA
- Technical project management - Jason Kelman and Jo Duggan
- Construction management – Mark McCann, Simpson's
- Political overview - Provost Helen Carmichael, Councillor Isabelle Mackenzie
- Governance - David Haas, Inverness City Area Manager (Chair)
- Curatorial support - Cathy Shankland.
- Evaluation Panel - Professor Jim Mooney

The students engaged enthusiastically with the discussion and their feedback was positive and thought-provoking.

6.3 **River Connections**

6.3.1 River Connections is complete. The final part of the artwork, which comprised new seating in the alcoves in Bank Street, was installed in early 2017. They complement the poetry by Ken Cockburn, composed for the plaques on the river wall, and have been created by artist Mary Bourne from Caithness slate, supported by drystone dyking. The pattern of shapes represents the small lochans and tributaries which run into the River Ness.

6.4 Rest Spaces

- 6.4.1 Artists - Dress For The Weather. The first Rest Space was a small viewing platform entitled 'Explore' which was intended to project over the river. The original site intended for this piece was on Bank Street opposite the Mercure Hotel. However, as noted in the August 2019 report, since the original design was developed in 2014 new guidance for local government on water safety has come into force: Scotland's Drowning Prevention Strategy 2018-2026 and the Council is currently developing a water safety policy for the Highland Council area based upon this guidance. Taking the new guidance into account, it was an officer recommendation that installation of the piece in the proposed location did not progress.
- 6.4.2 As reported previously, several alternative sites were explored situated within the new West Link Phase 2 development. The Working Group considered three potential locations and identified a preferred site, located adjacent to the pond on the old golf course site. Noting the engagement that subsequently took place through the Westlink Community Liaison Group and that this site retains the connection with water, the Working group agreed this as the preferred site. Accordingly, the piece has been installed as part of the Public art element of the West Link Phase 2 development.

6.5 The Trail

- 6.5.1 The Trail, also by 'Dress for the Weather' was a project to map the river to create a trail from the Ness Islands to the river mouth, including local stories, natural history, heritage and other practical knowledge accessed through a traditional paper map or digitally by mobile phone.
- 6.5.2 As reported previously to CIAC in November 2019, given the financial constraints on the overall programme, it was agreed not to progress with the Trail as originally intended. Creative Scotland have agreed and suggested that, since the concept was proposed 6 years ago, there may now be other and better ways of delivering this element of the programme either through other Highland Council or Creative Scotland initiatives. This may include integrating the principles of the Trail project into other related activity and also how best to utilise online/social media and alternative mediums such as the HighlandAR Legends project.

6.6 Children's Water Feature

- 6.6.1 Artists 'Bespoke Atelier' and 'Erz' have worked with art students from the University of the Highlands and Islands and school pupils to create a Children's Water Feature. The approved site for the interactive feature was to be on the Ness Islands.
- 6.6.2 As reported to the November 2019 CIAC meeting and noted above, the Children's Water Feature will no longer go ahead due to the overall budget pressure of the programme and to prioritise the Gathering Place (My Ness) feature.

6.6.3 Discussions have taken place with Creative Scotland and it was agreed to incorporate the education aspects of this project in the development of the Gathering Place. See 6.2 for further details.

6.7 **The Sculptural Destination**

6.7.1 Artist Annie Cattrell has designed an iconic landmark entitled 'Seer' based on the geology of the river and the mythology of the Brahan Seer. Two 'seeing stones,' modelled from the rock formations on each site of the Great Glen fault and cast in bronze-infused resin will be sited at Friar's Shott. People will be able to stand between them to view the Castle and the city. Smaller test pieces of the sculpture were exhibited at the Royal Scottish Academy in Edinburgh in May 2018. The artwork was installed in November 2018 at Friars Shott.

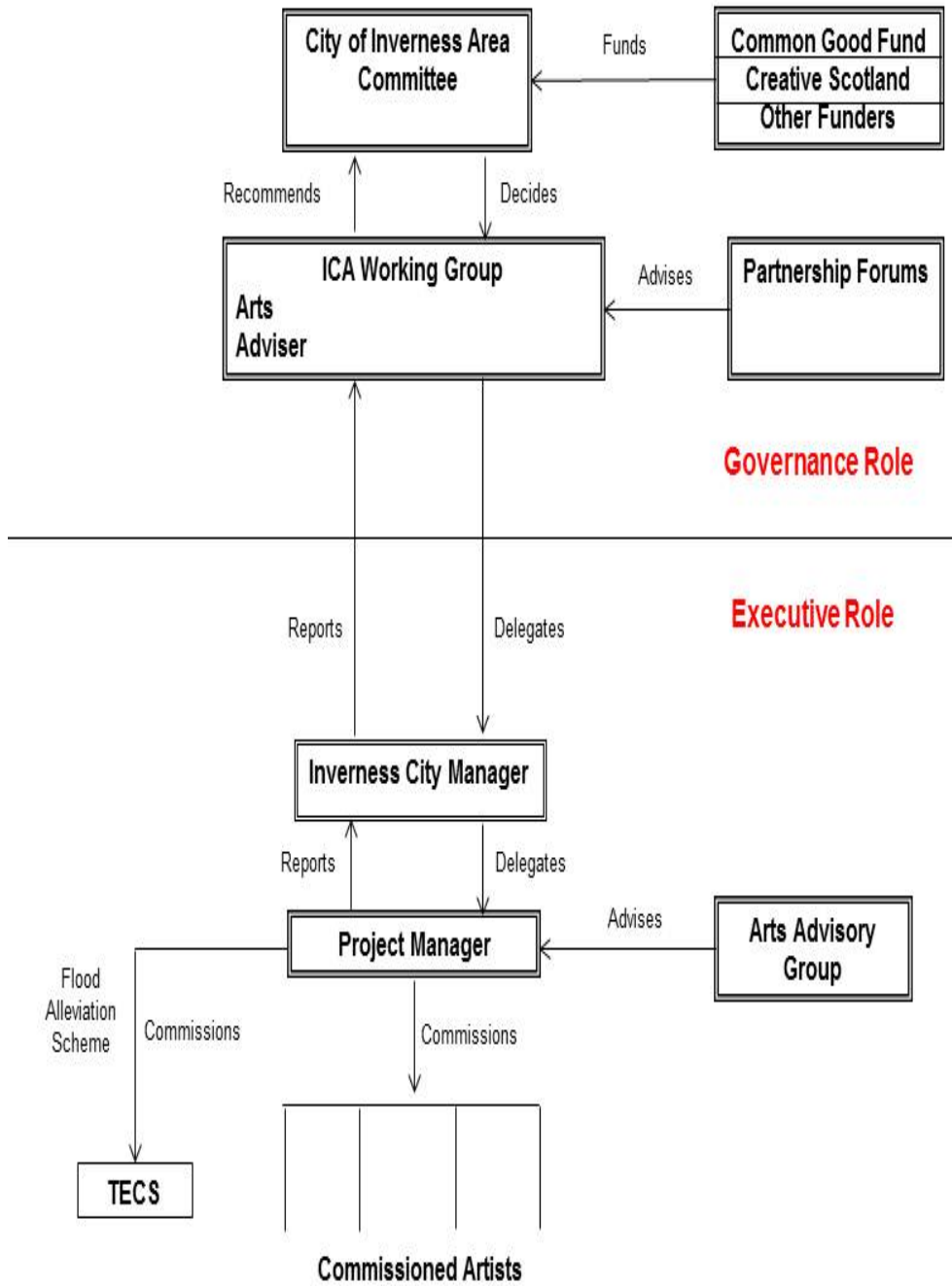
7. **Conclusion**

7.1 The objectives set by the CIAC for the ICARTS Working Group to deliver have been met within the terms of the governance set and on budget. The final piece, Gathering Place (My Ness), is now complete and therefore the recommendation is to dissolve the ICARTS Working Group with immediate effect. Remaining project monitoring will be reported through the ICGF Capital Monitoring report to CIAC.

Designation: Executive Chief Officer – Communities and Place

Date: 9th November 2021

Author: David Haas, Inverness City Area Manager
Jason Kelman, Principal Project Manager
Cathy Shankland, Exhibitions Officer, Highlife Highland
Jo Duggan, Project Manager



IC Arts Project Programmes Budget

Projects	Agreed Budget	Agreed Movement in budget	Agreed Adjusted budget	Total Spend to Date	Variance
River Connections	60,000		60,000	59,895	- 105
Rest Spaces	40,000		40,000	43,867	3,867
The Trail*	25,000	- 21,500	3,500	3,500	-
Gathering Place (My Ness)*	300,000	67,159	367,159	332,681	- 34,478
Gathering Place CS targeted funding**	27,000		27,000	-	- 27,000
Sculptural Destination	60,000		60,000	60,149	149
Childrens' Water Feature*	40,000	- 23,598	16,402	16,402	-
Management fees and costs	120,900		120,900	142,489	21,589
Development Cost	85,000		85,000	84,128	- 872
Client Contingency	22,450	- 17,061	5,389	5,389	- 0
Workers Memorial	5,000		5,000	5,000	-
	785,350	5,000	790,350	753,501	- 36,849

* The remaining funds from The Trail (£21,500), The Children's Feature (£23,598) and the Client Contingency (£16,461) have been previously reallocated (shown above under "movement in budget") to the Gathering Place in addition to £5,000 from the Common Good Fund allocation for Childrens' Water Feature pathways which shows as additional budget. The budget shown here includes the revised budget referred to in 6.1.7 of the report.

**This is funding is for targeted spend that was awarded by Creative Scotland to the Gathering Place project - spend on this is shown against the Gathering Place (My Ness)

My Ness (Gathering Place) Timeline 2020-2021

Ecology surveys completed February 2020	Feb-20
Tender Awarded	28 February 2020
Prestart Meeting	11th March 2020
SEPA CARs Lisence submission	Mar-20
Test Boreholes completed	Aug-20
Site set up and start on site (Delayed due to Covid-19 including precast concrete delays)	12 April 2021
SEPA Consent received	30 April 2021
Piling commenced (including watching brief by SEPA, Ness DSFB and Ecology Officer)	04 May 2021
Precast structure walls poured	27 May 2021
Works to bench area commenced	22 June 2021
Prefabricated sections installed	09 July 2021
Stone cladding	July/August 2021
Project handover	07 October 2021