

To: Communities Policy Overview and Scrutiny Committee

From: Mike Hill, Cabinet Member and Amanda Honey, Managing Director

Subject: **Turner Contemporary Update**

Classification: Unrestricted

Summary To update members of the committee of the latest position regarding the construction of the gallery, operational developments and transition to the Turner Contemporary Trust.

FOR INFORMATION AND COMMENT

1. Introduction

- 1.1 This is the fourth regular report to this Committee, providing an update on all aspects of the project including the building, operational issues and the transition to the Turner Contemporary Trust.

2. Background

- 2.1 Turner Contemporary is a visual arts organisation based in Margate, founded in 2001, which celebrates JMW Turner's association with the town

Turner Contemporary aims to:

- Construct a landmark gallery on the seafront at Margate, providing a new facility for the visual arts in the South East
- Offer visitors unsurpassed opportunities to see first class exhibitions of historical and contemporary art and to participate in our programmes
- Ensure there will be works by JMW Turner in the gallery at all times
- Make a major contribution to the regeneration of Margate, Thanet and East Kent
- Be a commercially viable organisation

- 2.2 We have successfully applied for £4.1m of capital funding from Arts Council England (ACE) and £4m from the South East England Development Agency (SEEDA). We are also working to raise £2.9m through the Turner Contemporary Arts Trust (TCAT) and the remaining £6.4m necessary to fund the capital project will be provided from the KCC capital programme.

3.0 Gallery Construction

- 3.1 The construction of the Turner Contemporary gallery continues to make good progress. The structure of the retaining wall to Fort Hill, the substructure works

including piling and completion of the ground floor slab, structural concrete works and the main roof structural steelwork are now complete. The distinctive form of the building with the mono-pitch roof-line is now very clear.

- 3.2 Work is well advanced on the roof decking, with only the areas over the pre-cast concrete staircases and the learning studio still outstanding. Application of a waterproof membrane to the structural concrete and fixing brackets for the façade and the wall insulation are in progress. Roof waterproofing works have also commenced. Fair-faced concrete on the building plinth and retaining wall are currently under construction. Internally, the installation of mechanical and electrical services is making good progress, with air distribution, ducting and conduits under construction in the ground floor of the building. Scaffolding has been installed in each gallery at first floor in readiness for the interior fitting out. On current planning, the building should be fully clad and watertight by late spring 2010.
- 3.3 The poor weather over the winter period has affected the construction programme, and building work has been hindered in this period. It is now estimated that the construction programme will be completed by late autumn 2010 and that the gallery will still open in spring 2011 as planned.
- 3.4 The development of the external landscape design by Gross Max Landscape Architects and David Chipperfield Architects has been finalised and the planning of the procurement is in hand. Coordination with planned flood defence works in Margate is underway. The flood defence works will strengthen defences along the beach frontage, around the Harbour Arm, and along the seafront in front of the Turner gallery. The work is being planned to minimise disruption to Turner Contemporary.

4 Operational Developments

4.1 Turner Contemporary Trust and Transition of Operational Responsibility

4.1.1 An enormous amount of work has been progressed in readiness for the transfer of operational responsibility from KCC to the Turner Contemporary Trust ('the Trust') on 1 April 2010. In order to achieve this deadline a number of pieces of work are being progressed as set out in the transitional plan. These include:

- Finalising the Lease, Grant Agreement and Transfer Agreement
- Transfer of staff
- Recruitment of new staff

4.1.2 KCC intends to lease the gallery to the Trust for a peppercorn rent upon practical completion of the construction programme. The Lease is currently being negotiated between KCC and the Trust; it governs the use of the building and sets out the responsibilities both of Turner Contemporary as the Tenant and KCC as the Landlord.

- 4.1.3 KCC intends to enter into a Grant Agreement with the Trust, the Agreement is being finalised and will be signed shortly. The Agreement sets out the various conditions upon which the KCC funding is contingent, including the monitoring and review arrangements.
- 4.1.4 KCC intends to enter into a Transfer Agreement with the Trust, the Agreement is being finalised and will be signed shortly. The Agreement sets out the assets to transfer from KCC to the Trust, the TUPE arrangements and the liabilities of both parties.
- 4.1.5 The formal TUPE consultation with the Turner Contemporary staff commenced in December 2009. Six members of the existing team will TUPE transfer to the Trust's employment on 1st April. Under TUPE regulations the terms and conditions of employment of the staff are protected. Turner Contemporary has been accepted as an Admitted Body to the Local Government Pension Scheme and the Trust will continue to offer the pension to staff who TUPE across.
- 4.1.6 The Trust has developed terms and conditions of employment for new staff which it will appoint directly. The Trust has recruited five posts which include Communication and Relationship Manager, Finance Manager, Curator, Curator of Public Programmes and Learning Officer. The new staff will commence in post from 1st April 2010.

4.2 Funding and Fundraising

- 4.2.1 Funding has been confirmed from Children and Families and Education (CFE) of £50K in 2010/11 and £100K in 2011/12. The funding is to directly support the establishment of a sustainable schools education programme to be delivered through the gallery.
- 4.2.2 The Turner Contemporary Art Trust (TCAT) continues to actively fundraise to achieve a fundraising contribution of £2.9m towards the capital construction costs of the gallery. A number of prospective donors have been shown around the site and a number of trusts and foundations are currently considering applications. In addition Tracey Emin has agreed to donate a work of art to support the fundraising campaign and a number of other artists are being asked to make similar donations.

4.3 Artistic and Educational Programme

- 4.3.1 Turner Contemporary continues to offer a lively and varied programme of contemporary art, learning and outreach work in Margate. A group walk by Canterbury based artist, Hamish Fulton, took place on 3 March at the Marine Sands bathing pool, Margate. Over 200 people took part in the walk and a film documenting it has been shot, which will form part of a future exhibition in the gallery. A new Tracey Emin neon will be launched on the façade of Droit House on 30 April, which will remain in situ until the gallery opens.

4.3.2 Turner Contemporary continues to receive media coverage, including a piece in the Guardian about David Chipperfield in which an image of the gallery building appeared. There have been further pieces on BBC South East television news as well as considerable local coverage.

5. Conclusion and Recommendations

5.1 Good progress on the construction of the gallery continues to be made and the transitional arrangements to transfer the organisation out of KCC to the Trust on 1st April are largely complete.

5.2 Members of the POSC are asked to note the latest developments on the Turner Contemporary project.

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