



Leicester  
City Council

**WARDS AFFECTED**  
**CITY WIDE**

**OVERVIEW & STRATEGIC MANAGEMENT BOARD**  
**CABINET**

**22 MARCH 2010**  
**29 MARCH 2010**

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**REPLACEMENT CITY GALLERY PROJECT**

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**Report of the Strategic Director Development, Culture & Regeneration**

**1. PURPOSE OF REPORT**

- 1.1** The purpose of this report is to inform Cabinet Members of the revised design for the new contemporary art gallery to be developed, subject to planning consent, on the site of the former Workplace Nursery at 50 New Walk.
- 1.2** To seek Cabinet approval to submit a new Planning Application for this project on the basis of the revised design and plans included at Appendix 1.

**2. SUMMARY**

- 2.1** Cabinet at its meeting on 3 August 2009 approved continued work on the proposed replacement for the City Gallery on the site of the former Workplace Nursery at 50 New Walk.
- 2.2** A Planning Application to develop the site situated at 50 New Walk, comprised of demolition of the 1950's built former Workplace Nursery and construction of a new, modern designed, Contemporary Art Gallery was submitted to Development Control in June 2009.
- 2.3** The consultation associated with the planning application process brought forward a range of comments on the proposed design for the replacement City Gallery from adjoining & neighbouring property owners, Friends of New Walk and other interested parties.
- 2.4** Council at its meeting on 3 September 2009 carried a motion which refers the proposed development of the City Gallery and its design back to Cabinet for further consideration and to ensure that the proposals enhance the New Walk area, adhere to the spirit of the original Corporation and accord with the detail of the Council adopted (March 2004) New Walk Conservation Area Character Statement.
- 2.5** This report introduces the proposed revised design for the new contemporary art gallery and provides a summary of the design amendments that have been incorporated in it.

### **3. RECOMMENDATIONS**

#### **3.1 Cabinet :**

- i) proceeds with the replacement City Gallery project on the basis of the design and plans included at Appendix 1 and to approve these as the basis for a new Planning Application for the demolition of the former Workplace Nursery - 50 New Walk and construction of a new contemporary art gallery in its place
- ii) authorises the Director, Legal Services to enter into the various legal agreements necessary to complete the development
- iii) agrees that the matter is urgent on the grounds that delaying and or prolonging the project at this stage is likely to incur additional cost for the Council and that in accordance with Cabinet Procedure Rule 12(d) of the constitution, no call-in may be made of the Cabinet decision

### **4. REPORT**

**4.1** The site for the proposed replacement City Gallery is within the New Walk Conservation area and lies adjacent to the historic park – it should be noted that the whole of New Walk (including New Walk itself) is on the National Register of Historic Parks and Gardens. The site adjoins three listed buildings which are located to the east (in the direction of New Walk Museum) – Georgian Villa and some of the earliest examples of property in the Regency Classical Style. To the West (in the direction of New Walk Centre) of the proposed Gallery site is a large precast concrete office building from the 1960's. All of the neighbouring properties have forecourts and are separated from New Walk by railings and/or walls of various descriptions.

**4.2** The proposed Gallery development will bring back into use an existing Council owned site, bringing a potentially difficult development site back into high profile public and community use. The development will significantly increase the usage around this section of New Walk and will subsequently help to reduce the anti social behaviour problems associated with this section of New Walk and which are holding back the development of Museum Square and its immediate environs.

**4.3** The need to develop a replacement for the City Gallery was initially identified in 2000 / 2001. The location of the proposed development site, almost opposite New Walk Museum & Art Gallery opens up the possibility of creating a new visual arts 'campus' which will provide greater visual arts critical mass – helping to develop a deeper public understanding of the relationship between contemporary and historic art. This approach accords with the recently published and adopted Arts Council England 10 year visual arts strategy – Turning Point. In addition the positioning of the new gallery offers opportunities to exploit the potential and crossover of audiences, joint promotion etc leading to economies of scale and efficiencies.

**4.4** The proposed Gallery design that formed the basis of the Planning Application submitted in June 2009 provided for a development predominantly two storeys in height with a total floor area that used 904 m<sup>2</sup> of the 981m<sup>2</sup> site. The proposed building followed the building line of the existing buildings on either side but with a single storey café projecting forward of the main façade line, incorporating a first floor terrace / sculpture terrace. In addition it was proposed to remove the existing site wall and railings and to replace these with a low wall and bench seat.

- 4.5** As indicated in paragraph 2.3 above the planning consultation process brought forward a range of comments about the nature of the proposed design. These can be summarised as:
- The projecting cafes breaches the long established principle of development being prohibited within ten yards of New Walk
  - Removal of the railings, and the proposed wall bench facing onto New Walk
  - ‘over intensive’ development – impact on amenity
  - The range of materials proposed to be used in the development
  - The proposed colour scheme and in particular the Black render
  - The proposed location of the gallery main entrance too close to property number 60
  - The proposed terrace overlooks the property at 60 New Walk
- 4.6** The Project Director, Project Manager and Architect have consulted and liaised with neighbouring property owners, the Friends of New Walk, Conservation & Planning Officers, Cabinet Lead Members and other interested parties in the preparation of the revised design and plans for the replacement City Gallery.
- 4.7** The revised design and plans are included at Appendix 1, these incorporate the following main revisions:
- The café projection has been removed and the layout of the ground floor has been redesigned to accommodate the café within the main body of the building and behind the newly positioned main façade line.
  - The café is now adjacent to the Main Gallery space with access to a ground floor courtyard (planting incorporated to ‘screen’ the property at number 60 New Walk
  - Main entrance moved and located in a more central location and in line with the ‘art corridor’ which creates a visual and physical connection between New Walk and Wellington Street. The draught lobby has also been incorporated within the main body of the building and behind the main façade line.
  - Small terrace / balcony formed at first floor on the west side of the building, again behind the main façade line.
  - The proposed materials are mainly render with the very dark, almost black, render previously proposed changed to a lighter mid grey, and the overall colour palette has been softened.
  - The railings have been reinstated on the east side of the site and replaced with a combination of a sliding and hinged gate arrangement that allows the forecourt in front of the main entrance to be opened up during gallery opening hours – a compromise between site accessibility and security.
- 4.8** It is proposed, subject to Cabinet approval of the revised design and plans, to submit the scheme for Planning Consent before 31 March. This, because other work streams have been progressed concurrent with the re-design, means that the overall programme for the project can be maintained.

**4.9** Project Progress.

**4.9.1** The Replacement City Gallery Project is progressing in accord with the forecast master programme for this development and within the Cabinet approved (3 August 2009) budget of £2.4 million.

**4.9.2** Environmental and sustainable design issues, such as reductions in the use of energy and use of energy from renewable sources along with a range of other environmental considerations, have been fully considered and integrated within the proposed scheme. At the appropriate time an independent and registered BREAM assessor will be appointed to review and assess the scheme.

**4.9.3** The Councils Project Manager and Quantity Surveyor have advised that in order to maintain development and delivery of the replacement for the City Gallery in accord with the approved project programme it is critical that the Planning Application is lodged with / submitted to Development Control by the end of this Calendar month (31 March 2010).

We are further advised that if the project is not completed within the approved programme then

- additional construction costs - arising from reduced cost certainty at the time of entering into the main construction contract, and
- additional consultant costs are likely to be incurred due to prolongation of the programme.
- missed opportunity to maximise earned and generated income during the first trading / operational year as the busiest trading period of autumn / Christmas period will have been missed

**4.9.4** A Project Board, in accord with the requirements of the Councils Standards for the management of major projects, chaired by Councillor Kitterick and attended by Councillor Connelly has been established and is meeting on a regular / monthly basis.

**4.9.5** Using the EMPA Framework Morgan Ashurst has been appointed as Main Contractor. Morgan Ashurst is currently undertaking the initial feasibility check on the project. This will be completed by the end of February and will confirm that the Project deliverable in terms of the programme and forecast cost.

**4.9.6** As previously reported (3 August 2009) the Lease for the City Gallery, Granby Street property expired at the end of February 2010. The property has been handed back to the property owner.

**4.9.7** To accommodate the handing back of the Granby Street property the City Gallery closed on Saturday 9 January 2010 at the end of the Open / Christmas Exhibition. The Gallery Staff Team has moved into temporary office accommodation in New Walk Museum. An interim programme of Temporary Contemporary Exhibitions will be provided in the New Walk Museum Galleries and the City Gallery Art / Craft shop will open, in May 2010, in the former location of the New Walk Museum shop. In addition the City Gallery team will continue to run elements of its excellent children's education programme, however it will lack a dedicated education space for arts education and participatory activities. One of the key outcomes arising from the new gallery project will be the provision of a fit-for-purpose (dedicated) creative and learning environment

for children and families with an enhanced range of learning activities for children and young people.

**4.9.8** Therefore, in summary, the City will be without a dedicated Contemporary Visual Arts Gallery until the replacement Gallery opens in Autumn 2011.

**4.9.9** The Project Director, is working with members of the Gallery team to develop further the 5 year Business Plan for the sustainable operation of the new contemporary art gallery.

## **5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS**

### **5.1. Financial Implications**

The design changes have not impacted upon the overall agreed budget of £2.44m (Council funded apart from £0.1m from the Arts Council). To date approximately £260,000 has been expended on the development of the Replacement Art Gallery project and it is anticipated that a further £26,000 (possibly £8,000 may be covered by Leicester City Council Landlords) spend to cover dilapidation and removal costs will be supported from Arts and Museums service budgets from staffing and running costs savings whilst the City Gallery is closed.

*Martin Judson, Head of Resources, Ext 297390*

### **5.2 Legal Implications**

The Main Contractor is being appointed using the EU and CPR compliant EMPA Framework Agreement and all contracts relating to the Project have been approved by the Director of Legal Services.

*Jean Geary. Principal Legal Officer Ext 296357*

## **6. OTHER IMPLICATIONS**

OTHER IMPLICATIONS	YES/NO	Paragraph references within the report
Equal Opportunities	<b>No</b>	
Policy	<b>No</b>	
Sustainable and Environmental	<b>Yes</b>	<b>4.9.2</b>
Crime and Disorder	<b>No</b>	
Human Rights Act	<b>No</b>	
Elderly/People on Low Income	<b>No</b>	

## **7. BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972**

Cabinet Report. Replacement for City Gallery, 1 September 2008

Cabinet Report. Replacement City Gallery, New Walk. 3 August 2009

## **8. CONSULTATIONS**

Richard Watson, Director Cultural Services

Anne Provan, Team leader Conservation & Nature in Planning Policy and Design

Sarah Levitt, Head of Arts & Museums

Keith Butler, Project Manager, Focus Consultants

**9. REPORT AUTHOR**

Mike Candler

Cultural Quarter Project Director

T 261 6821

E [mike.candler@leicester.gov.uk](mailto:mike.candler@leicester.gov.uk)

<b>Key Decision</b>	Yes
<b>Reason</b>	Is significant in terms of its effect on communities living or working in an area comprising more than one ward
<b>Appeared in Forward Plan</b>	Yes
<b>Executive or Council Decision</b>	Executive (Cabinet)











