



Report to: Development Committee

Subject: Ormeau Baths Gallery

Date: 13 December 2011

Reporting Officer: John McGrillen, Director of Development, ext 3470

Contact Officers: Shirley McCay, Head of Economic Initiatives, ext 3459

1	Relevant Background Information
1.1	Members will be aware that Ormeau Baths Gallery (OBG) ceased trading on 31 October 2011. We received a telephone call informing us of this from OBG Company Secretary on 27 October. No other prior indication had been given.
1.2	We have now received a Liquidators Report for OBG, and the report indicates that there are unlikely to be any monies available for any creditors. Our Legal Department has written to the Liquidator stating our position as public funding bodies, and our legal rights to reclaim monies given through our grant. However we may be unable to claw anything back.
1.3	We issued a letter of offer to OBG in May 2011, for a grant totalling £9,523 from the Culture and Arts Development and Outreach Initiative. The project is entitled 'Artist in Residence: Markets and Donegall Pass'. The partners in the project are OBG (as lead partner), Crescent Arts Centre, Markets and Donegall Pass Community Centres, and associated user groups of the Centres. OBG do not hold any other Belfast City Council funding in this current financial year.
1.4	We issued a cheque for £4,761.50 as the first 50% payment of this grant in June. Community engagement by the artists commenced in August, and the project was officially launched by Chair of Development Committee on 13 October. We have not issued the second 50% cheque (we are not legally obliged to release any further grant due to the circumstances) and work on the project has been stalled.
1.5	The artists in residence, recruited by OBG for this project, have unpaid invoices to the value of £2,745.82 for work completed and materials purchased. They are listed as a creditor within the liquidation report, with an amount of £1,324.80 – which is the sum of two of the four invoices they submitted to OBG.

2	Key Issues
2.1	The artists are willing to continue the project, on the understanding that they receive payment for work completed and materials bought. The community groups are very keen that the project continues. The Crescent Arts Centre is willing to manage the remainder of the project and take on the lead partner role, but they have expressed strongly that they believe the artists should receive payment due before they commence any further work on the project.
2.2	There is potential for the Crescent Arts Centre to submit an application to Development and Outreach initiative for 12/13 for an enhanced version of this project utilising the same partners. Another fund available to maximise the potential of the project, is the Rolling Programme for Innovation, which could support a showcase event as a finale.
2.3	Having discussed this issue with key partners, the following options have been identified for Members' consideration: <ul style="list-style-type: none"> i. Close the project and retain the grant remaining. The project would be lost and the artists would receive no payment for work carried out / materials purchased. Belfast City Council and the artists to try to claw back money from the Liquidators. ii. Transfer the remaining budget to the Crescent Arts Centre. The Crescent Arts Centre will work with the artists and community partners to deliver a reduced project. iii. Transfer the remaining budget to the Crescent Arts Centre. The Crescent Arts Centre will work with the artists and community partners to deliver a reduced project. However an 'advance' payment will be made to the artists. £2,745.82 could be sourced from another budget within Tourism Culture and Arts. This payment would be seen as an 'advance', and, should either Belfast City Council or the artist claw back any of the grant, this money can be replaced. The project would be slightly reduced in scope but would still have a good impact within the communities. iv. Reinstate the total budget for the project. £4,761.50 to be transferred from another budget within Tourism, Culture & Arts or to be taken from Development Outreach allocation for 2012/13. Artists would be paid and project would continue as planned and completed within the timeframe.

3	Resource Implications
3.1	Depending on Option chosen, there are varying resource implications.

4	Equality and Good Relations Considerations
4.1	There are no equality and good relations considerations attached to this report.

5	Recommendations
5.1	Members are requested to consider the Options above. Option 2 is considered to be the most cost effective solution for the Council at the present time.

6	Decision Tracking
An update will be provided to Development Committee in May or June 2012.	
Timeframe:	May/June 2012
Reporting Officer:	Shirley McCay