

DRAFT

Cheltenham Borough Council

Public Art Strategy

2004 – 2007



CHELtenham
BOROUGH COUNCIL

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1 Introduction

1.1 Aims and objectives

Aim

To improve and enhance the environment of Cheltenham and to increase awareness and appreciation of where we live and work.

Objectives

The objectives of the Public Art Strategy are:

- to increase the amount of high quality public art throughout the borough through supporting and promoting the achievement of artistic quality, excellence and innovation
- to implement a percent for art policy on the borough's own building and landscape developments, based on 1% of the capital costs of those developments and to encourage developers working within the borough to adopt the policy that an agreed percentage of capital costs of a building or landscape development should be spent on public art
- to encourage understanding and appreciation of both the principles of public art and examples of good practice, through advocacy, education, training and promotional activity
- to encourage collaborations and partnerships between artists/arts organisations and both public and private sector organisations
- to promote a high quality, safe, accessible and well designed environment of value to those who live in, work in or visit the area

1.2 Key priorities

Whilst there will continue to be a role for traditional public art such as site specific and functional permanent works, the focus for public art will be:

- on artist-led projects integrated within wider regeneration schemes and developments
- to increase opportunities for artists to engage at an early stage with architectural, environmental and community regeneration schemes
- to make public spaces lively, safe, accessible, attractive and welcoming, including the use of temporary installations

1.3 A strategic approach

The purpose of this review

Cheltenham has been commissioning and overseeing the commissioning of public art for many years. Following a review of the work of the public art panel, and a new Arts Development Strategy (May 2004), and in light of impending national changes to the planning system, the development of a public art strategy is necessary.

This work has been undertaken by the Arts Development Officer, working with the public art panel, and Public Art South West (PASW).

This work is being undertaken at an opportune time. The importance and long-term efficiency of quality design is being recognised and demanded at national, regional and local levels. Design champions are being appointed throughout Local Authority and other agencies structures. A capital programme of new-build and refurbishment within our health and education sectors is underway on a scale not seen since the 1960's.

This strategic reconsideration of public art comes at a time when local authorities are increasingly recognising the value of public art. Cheltenham has a percent for art policy contained within the Local Plan. Of the many excellent examples of public art in the town, some were funded in this way.

This strategy:

- Places public art within the planning and development process; complementary to good urban and building design; integral within new development schemes; as part of social investment in new and refurbished housing; improvements to public open spaces; and arts and health initiatives.
- Outlines how the council intends to implement the public art strategy and provide guidance to developers working in the borough.
- Outlines ways in which public art in Cheltenham can add quality to the lives of those living and working in the borough.
- Creates a framework for promoting Cheltenham as a town known for its art in public spaces.

Cheltenham Borough Council is committed to the development of public art across the borough and to encouraging the commissioning of artists as part of the planning process in the public realm. This strategy will ensure that such development will help to deliver the priorities identified in the community plan and the council's corporate business plan as part of a wider remit of improving Cheltenham's environment. It outlines key priorities and actions for public art within the next three years and a core framework for delivery of public art in the borough.

The framework is, however, flexible enough to respond to the variety of opportunities created by the development of new regeneration schemes including Civic Pride, funding initiatives and partnerships.

1.4 Public art – a definition

‘Public art - a principle and mechanism of improving the changing environment through the arts’ (Public Art South West)

- 1.4.1 Public art is not an art-form. It is a principle and a mechanism of improving the changing environment through the arts. It is a term given to the practice of involving artists in the conception, development and transformation of a public space. Public art is specifically commissioned for a known site and its audience is the public or community, be it social or working, occupying that space.
- 1.4.2 Public art generally takes three distinct, complementary and often overlapping approaches:
- The integration of art into the whole of a development involving collaborations between artists, architects, urban designers and landscape architects amongst others. This can be a very small element such as a glazed entrance, through to street furniture or fully integrated traffic and planning initiatives.
 - Landmark projects: sculptural or stand-alone works of art, which have a symbolic or commemorative intent.
 - Temporary works: projects that aim to build innovation, risk and change into the sum total of public art activity and projects with communities.
- 1.4.3 Many local authorities in England now include public art and percent for art policies in their local plans. By far the greatest generator of public art opportunities are local authorities, along with other public sector agencies. However, few have established effective and sustained mechanisms for implementing their public art policies.
- 1.4.4 One of the main mechanisms used by local authorities for encouraging public art is ‘percent for art’ through Section 106 monies whereby developers working within the borough are encouraged to adopt the policy that 1% of the capital costs of a building or landscape development should be spent on public art. Where a development is not suitable for public art input, or the sum is too small to make a significant impact, contributions from developments can be pooled to contribute to larger scale public art projects through commuted sums.
- 1.4.5 The results of public art projects range widely from high profile regeneration projects to those which are more integrated and community focused where local people may be involved with the whole process from conception to execution of the finished work.
- 1.4.6 Public art projects are able to add value to commercial and business developments; the health service; transport projects; housing schemes; countryside development; and to a multiplicity of public and independent sector schemes and settings.
- 1.4.7 There is increasing recognition of the role that the creative and cultural agenda can take in informing sustainability and urban regeneration agendas and improving the public realm. This involves making interventions at critical times in the planning process. For example regional and national guidelines and initiatives such as the Commission for Architecture and the Built Environment’s (CABE) *Better Design* document, and the regional *Designing our Environment* document and the *Creating: Excellence* initiative encourage striving for quality in the thinking, consulting and design of the places and spaces in which people live work and relax. All aim to ensure the inclusion in design teams of a range of skills including those of artists, lighting designers, animators and performers.

2 The national, regional and local context

2.1 National context

Since 1997 there has been a significant and positive shift in national policy regarding the built environment and, by extension (and sometimes explicitly), public art.

In the recent DCMS report (June 2004) *Culture at the heart of regeneration*, there is a clear and consistent case made for culture as a driver in regeneration. It cites the importance and impact of public art and the expectation that it will now feature in schemes, both as a key element in overall design and development work, as well as located in final works.

In November 2003 the Office of the Deputy Prime Minister (ODPM) issued a consultation paper: *Contributing to sustainable communities – a new approach to planning obligations*. A proposal to reform planning obligations by establishing a new policy, that is consistent with case law and supported by guidance and by legislation, to establish a new optional planning charge, allowing developers to opt to pay a fixed charge rather than take part in a negotiated agreement was put forward. Following the Barker report in March 2004, and Ministerial statements, the Government will now press ahead with implementing changes to the planning system by:

- 1 Revising existing planning circular 1/97 and publishing good practice guidance for local authorities and developers.
- 2 Working up proposals in parallel for an optional planning charge, on a timetable consistent with that for decisions on the PGS. They will then pilot options with a number of local authorities.

What will these changes mean for percent for art, and public art strategy at local authority level?

The changes should lead to an increased transparency of planning negotiation. While the legal status of percent for art as a legitimate, discretionary planning obligation will not be affected by the changes, it is important that Cheltenham Borough Council consider how best to support their strategy given the likely changes to the negotiation process and increased public and professional scrutiny. Forthcoming changes to planning negotiation provide an opportunity for CBC to consolidate and improve its implementation procedures. It may lead to changes in the mechanisms of the delivery of public art and the negotiations between planning departments and developers.

Meanwhile policy and practice has developed across the country at a grass roots level with local planning authorities acting as the largest number of, but not the only, prime movers. Investment in public art from the public purse grew exponentially during the first five years of the national lottery and experience would suggest that private sector investment has grown too and continues to do so.

Members, officers and regional agencies are eager to ensure that quality design, which should include public art, produces places and spaces that demonstrate fitness for purpose, sustainability, adaptability, safety, efficiency, appreciation of context and an aesthetic impact that contributes to civic life.

2.2 Regional context

Public Art South West (PASW), the public art office at Arts Council England South West, has been working with other regional agencies such as the South West Regional Development Agency (SWRDA), Government Office South West (GOSW) the Environment Agency (EA), CABE, the Royal Institute of British Architects (RIBA), the Architecture Centre and others to develop the vision set out in *Designing our Environment – towards a better environment for the South West* (February 2004). It offers a framework for the promotion of a high quality and sustainable approach to architecture and planning for the built environment of the region, facilitated by a new initiative – *Design South West*, and *Creating: Excellence*. This approach advocates the role and importance of quality public art and artists in an integrated and multi-disciplinary approach to design and the built environment.

Nick Capaldi, Executive Director of Arts Council England, South West said (June 2003) 'It is an era of significant expansion for the arts...by 2006 we will have doubled our spending on the arts. The benefits of this investment will be available to everyone in the region – audiences for the arts, artists, organisations and international centres of excellence in the South West. This is an opportunity on a scale that we have never known before.'

2.3 County context

A public art strategy for the county was agreed by the Strategy and Resources Committee on 1 July 1998 with the following aims:

- To improve Gloucestershire's environment
- To stimulate the local economy through creating employment and developing skills
- To involve the local community through consultation and direct involvement in projects
- To contribute to the County's Arts Strategy

The Council agreed to deliver the public art strategy through a Percent for Art levy on the Council's capital programme, supplemented by a small top slicing of the capital budget of £40,000 pa. This funding has been targeted to projects by the Council's percent for art officer group, in order to meet the council's key priorities.

In 2003/4 the council reaffirmed support and agreed a new five year programme of support. This promises to deliver:

- A new programme of strategic creative commissioning
- Leverage of new funds from external sources
- Increased collaboration with Gloucestershire District Councils
- Opportunities for artists within the county to learn new skills

Percent for art will be considered for all appropriate Council capital projects with a value of over £300,000. The additional budget (£40,000 pa) will be used to target:

- Projects in areas of need where members most want to see development
- Involving artists in design collaboration to improve design quality and engage communities in development
- Commissioned work in digital and other new technologies

The County Council has produced a folder describing the public art strategy and containing details of six case studies, including Cheltenham's *Minotaur and Hare*.

2.4 Cheltenham context

The community plan was launched in November 2003 and sets out five key priorities that all organisations in Cheltenham need to address if we are going to realise the vision for Cheltenham to be a vibrant, safe and sustainable town where residents, workers and visitors enjoy the benefits of social, environmental and economic wellbeing. These five priorities are:

- To improve the supply and standard of affordable housing
- To permanently reduce crime and disorder, and the fear of crime, in our communities
- To reduce inequalities in our communities and develop a sense of community
- To protect and improve the environment of Cheltenham and make it a beautiful and sustainable town (that is, a town that can grow and develop to improve quality of life for all)
- To improve sustainable travel and transport options (that is, transport that allows the whole community to travel safely and easily in an environmentally-friendly way)

Cheltenham Borough Council, as a key partner in the community planning process, has adopted these five priorities along with two other priorities specific to its business; enhancing the cultural life in of the town and our aspiration to be an excellent authority.

Cheltenham Borough Council produced *Never a dull moment*, Cheltenham's cultural strategy, which has a key aim to add cultural vitality to the town centre through extending opportunities for public art.

As part of Cheltenham Borough Council's Local Plan second review, draft supplementary planning guidance has been produced, which states that the council will enter into discussions with developers to allocate up to 1% of the total building costs of the proposed development for the commissioning of public art as an integral part of the development. The draft SPG suggests that proposals for public art are scrutinised by the Cheltenham Public Art Panel.

Given this strategic framework, this strategy recognises that public art can be employed to deliver a wide range of objectives within areas of environmental, social, educational, cultural and economic policy.

Social and educational benefits

Education and interpretation projects are often linked to public art schemes and there are notable examples of complex and sustained projects, which have arisen from community initiatives. The development of public art projects in which local people work with artists to improve their own environment, can:

- Develop people's sense of ownership of their environment
- Instil a sense of local identity and community pride
- Strengthen a sense of community and enhance social cohesion
- Develop people's interest in, and understanding of, the visual arts
- Enhance people's creativity, extend their social skills and self-confidence, and create social inclusion through learning.

Environmental benefits

Public art can enhance the environment, contributing to all aspects of urban design – from street furniture and paving to building design and landscaping. With community involvement, it can be effectively employed to:

- Aid regeneration by developing a positive identity for an area and improving its image
- Encourage people to value their surroundings, contributing to a reduction in vandalism and fear of crime and creating a healthier, safer environment
- Create local distinctiveness and a sense of place

Cultural benefits

Cheltenham's collection of public art is already a significant addition to the borough's cultural provision. If it's potential as a cultural and educational resource is effectively developed, it can:

- Enrich the cultural life of the town, improving the quality of life for local people
- Expand upon the town's cultural profile nationally and internationally
- Develop civic pride and help create a distinctive 'image' for Cheltenham
- Broaden public access to contemporary arts and crafts, and encourage the understanding and appreciation of visual art
- Generate economic benefits

Public art can also encourage inward investment by:

- Providing an impression of social, cultural and economic confidence, thereby stimulating economic growth
- Creating a focus and stimulus for tourism
- Increasing revenue to local businesses through an increase in visitors to the borough
- Contributing to the local economy by creating employment opportunities for local artists, craftspeople and associated businesses.

2.5 Current Delivery and Resources.

In recent years, a significant number of public art projects and initiatives have been realised in Cheltenham, with involvement from the Public Art Panel, planning officers, arts development officer, private individuals and interested groups. These include:

The Minotaur and the Hare
Commissions as part of the GCHQ development
The Waitrose development
Internal works in the Art Gallery and Museum
A Mosaic trail
Works integrated within Cheltenham General Hospital development

Taken, together with proposed contributions by new developers, it is estimated that the value of contributions to public art in the last five years, from a variety of sources, totals at least £350,000.

It is clear that in order to maximise the opportunities offered by such significant contributions, currently managed on an *ad-hoc* or project basis, a more strategic

approach should be developed in relation to the mechanisms, policies and opportunities for integrating quality public art within regeneration, design and other initiatives.

3 Resource implications

Sustained public art activity results where there is dedicated officer input, whether in arts or planning teams, providing coordination and specialist advice.

3.1 Cheltenham Borough Council resources

Cheltenham Borough Council has no resources separately itemised and directed to facilitate public art in the borough. Instead there has been a dependence upon external funding, particularly via Section 106 contributions realised as part of the planning process. Many public art projects in the borough have depended upon fundraising by individuals with a particular interest in the scheme. For example, Cheltenham Arts Council (CAC) have fundraised for each mosaic project they have worked on using 10% of any project income to employ a project manager.

The council does not have a separate public art officer; instead this role is covered by the Arts Development Officer, within the Arts and Visitor Services team at Cheltenham Art Gallery and Museum. The current officer's role includes Arts Development and curatorial responsibility for fine art collections held by CBC. The post holder has limited capacity to cover this extra responsibility. It is recognised that there is also a lack of communication between arts and planning, mainly due to constraints on time, which needs to be addressed in order to facilitate a closer working relationship.

Although significant opportunities for the development and integration of public art exist and are dealt with by the public art panel, which includes representation from planning and arts development, it is vital that a strategic, informed and planned approach to the integration of public art must lie at officer level.

It should also be noted that the key members of the panel, and any officers responsible for public art, should undergo regular quality training, briefings and keep updated on public art issues and opportunities.

3.2 The Public Art Panel

Cheltenham has a Public Art Panel which was established in 1992 to offer advice and guidance on the production, siting and content of public art within the town. It has operated on an *ad hoc* basis but it is now considered appropriate to clarify its operation, remit and membership.

Since its inception, the Panel has been conscious of a lack of strategic direction and clarity regarding its overall objectives. It has been largely reactive, primarily looking at the potential public art content of development schemes, and has been hampered by a lack of resources with which to further the cause of public art within the borough. The Panel is currently chaired and convened by Councillor Rowena Hay, Deputy for Health, Wellbeing and Economy, and meets on an *ad hoc* basis, usually quarterly. Current members of the Panel are:

George Breeze	Community representative
Lesley Greene	Independent public art consultant
Mary Greensted	Arts & Visitor Services Manager, CBC.
Cllr Diana Hale	Planning Committee
Diana Hatton	Representing Public Art South West

Grahame Lewis	Assistant Director Built Environment, CBC
Paul McKee	Arts Development Officer, CBC
Jenny Ogle	Cheltenham Arts Council

The Public Art Panel and its individual members have many years' experience in advising upon and commissioning public art.

It is facilitated by Cheltenham Borough Council supported by various officers, particularly within the Art Gallery & Museum Service and in the Built Environment Division.

The Cheltenham Public Art Panel can be a powerful voice to promote public art in the Borough. It should also be a tool for information exchange, case studies, good practice guides, training and induction for officers, members, artists and others.

The following recommendations are made to give a clear framework for the operation of the Public Art Panel with specific guidelines as to who is responsible for its operation, what objectives are being worked towards, who will form the membership, and what resources and funding will be provided regarding the Panel's function in the future.

3.3 Public Art Panel – Terms of reference

The adoption of a public art strategy will in itself provide the Public Art Panel (as well as Members and officers) with a clear strategic direction. Its main remit is to deliver the key objectives of the public art strategy and action plan.

The Public Art Panel will provide appropriate direction and advice to the disposal of funding received via the Section 106 process following the Local Planning Authority granting planning permission.

It will also provide guidance and support to anyone involved in projects containing elements of public art within the borough.

It will undertake activity aimed at encouraging understanding and appreciation of public art through advocacy, education, training and promotional activity.

It will encourage wider community involvement in terms of the siting and development of public art projects and advising on the choice of artists and the broad direction that the public art should take in order to maintain quality.

It is important that the group should have sufficient status to ensure that the appropriate committees and developers take on board the recommendations it makes.

Whilst acknowledging present financial constraints, it would be desirable for the Public Art Panel to have a working budget to enable the following initiatives:

- Ongoing training for officers, members and developers
- Design and print of leaflets/packs to advise developers
- Payment of project managers for CBC schemes
- Direct commissions by the public art steering group
- PR/publicity (i.e. postcards of notable public art in Cheltenham to be sold through tourist information and shop at the Art Gallery & Museum, for example)

This budget would be administered by the Public Art Panel.

N.B. This may be achieved by 'top-slicing' developers' percent for art contributions. Developers would therefore be contributing to the furtherance of public art across the borough as well as on their own developments.

The Public Art Panel will monitor both the progress and the outcomes of all public art projects.

Membership

The membership of the Panel should be reviewed and revised to include the following representation as appropriate:

- Councillor (Chair)
- Arts Development officer
- Built Environment/Civic Pride officer
- Green Environment officer
- Gloucestershire County Council
- Public Art South West
- Cheltenham Arts Council
- University of Gloucestershire
- Planning committee representative
- Business community representative
- Community representative
- Artist/Project Officer

The Arts Development Officer will act as the first point of contact for enquiries regarding existing public art.

A named officer within Built Environment will act as first point of contact for those with planning related public art enquiries. The officer will identify opportunities for public art commissions and advise the Public Art Panel. Regular training of officers in public art matters will be offered.

The workings of the Panel

The Public Art Panel should meet at least every two months.

The Public Art Panel will be chaired by the Deputy (Health, Wellbeing and Economy) and will be convened by the Arts Development Officer.

The Public Art Panel will be responsible for implementing the public art strategy and action plan with the support of officers within the council, primarily the Arts Development Officer and officers within Development Control. Without a dedicated Public Art Officer it is recognised that professional assistance may need to be bought in to deliver specific aspects of the strategy.

3.4 Percent for art

It is essential that percent for art is seen as an integral part of the planning and design process by both officers and developers, rather than as a 'bolt-on' or 'prettifying' process introduced into the mix at a late stage. Artists should be involved at the very early stages of a project. The Supplementary Planning Guidance is a useful tool for promoting this scheme and the Public Art Panel will be advocating percent for art policy in all schemes where practicable and will consider pooling smaller percent for art contributions where appropriate to create a viable fund for larger-scale coherent public art projects as part of a more integrated approach.

4 Marketing

Cultivating and maintaining a positive media and public image is important for commissioners. Public Art projects offer excellent opportunities for developers, authorities and other commissioners to promote positive messages about quality services, particularly in terms of environmental and urban improvements. It is important to maximise each scheme's potential.

The positive reporting of public art projects requires careful management. The timing of announcements to implement a public art commission, local involvement and its final unveiling is crucial to minimise any potential hostility.

All parties involved in the scheme should be consulted about how best to involve the media and at what stage. If a scheme goes for formal planning approval it is crucial that PR staff are alerted and have comment and information available.

Documentation of the project, in the form of reports and good quality images, is very important. Relevant trade and professional journals can also be targeted.

The disclosure of the costs of the project is a matter for relevant funders. It is advisable to be clear about the sources of funding for each scheme, and put the costs in relation to the overall scheme costs.

The unveiling of the work presents valuable public relations opportunity. There are various ways to create a focus for news:

- Encourage local community organisations to arrange seminars or opportunities for architects, artists planners and officers to discuss their scheme
- Invite prominent local people to unveil the work
- Link the launch into an existing festival or local cultural event
- Install a plaque or other permanent record of the work
- Mount a small exhibition or publish a leaflet or booklet to educate and make work more readily accessible
- Print a series of postcards
- Have a 'private view' as the launch to introduce the work and put it in context

5 Action Plan

Area of work	Action	Timescale	Responsibility	How will we know when we've been successful?
Public Art Officer	Explore with Gloucestershire County Council and the five districts (Forest of Dean, Cotswold, Stroud, Gloucester City and Tewkesbury) ways of funding a part-time public art officer to work on a shared and cross-district basis, perhaps through partnership agreement with ACE, SW	2006-7	Arts Development Officer ACE SW	
Training	Training for key elected members and officers Training and update on regional and national issues for public art panel, planning and arts officers	On going	Public Art Panel PASW GCC	
Identification of projects	Identification of key projects for next 3 years (to be updated regularly) <ul style="list-style-type: none"> • identify borough capital schemes and consider if percent for art should apply • identify major external developments where percent for art or 106 agreements could apply • identify community-based projects which could attract external funding • identify partners in the private, public and community sector to develop joint projects 	2004-5 On going On going On going On going	Public Art Panel Appropriate arts and planning officers	

Public Art Panel	Create mechanisms and resources to implement the terms of reference		Appropriate committees and officers	
Evaluation	Evaluate aesthetic quality and the social, economic and environmental impact of all projects against aims and objectives. Build evaluation process into all commissions.	On going		
Audience development	Develop advocacy and awareness raising seminars Design and production of printed material	On going	Arts Development Officer Public Art Panel	
Audit	Update and produce a list of public art in Cheltenham	2004-6	Public Art Panel	
Raise awareness	Create web-page linked to CBC site	2004-6	Arts Development Officer Public Art Panel	
Civic Pride	Ensure Public Art Panel has a representative on the Civic Pride steering group	2004-5	Public Art Panel	
Animation of the town	Identify a programme of activity using art to animate public spaces through a series of temporary interventions. These may include performances as well as visual media such as lighting, projections, banners and seasonal/environmental pieces, etc.	2005-7	Arts Development Officer Public Art Panel	

Paul McKee
Arts Development Officer
September 2004

Appendix 1

The Commission and Brief Process

Any Public Art commission should be able to withstand the 'Why?' test. That is, that each commission should arise from a key corporate objective. There should be a flow from the Local Plan, through Plans such as the Community Plan, the Cultural Strategy and other key policy frameworks, down to individual projects.

A brief for commissions should always be drawn up. Briefs for projects should build or reflect upon themes, issues, treatments and material considerations, which connect with the Scheme as a whole. A public art project should not be used to distract from poor quality or inadequate architecture or design.

It cannot tackle issues and problems beyond the means of a single piece of work (e.g. 'To banish all vandalism forever').

A good, constructive brief however, should give the artist context, background and technical information, and let them know what is needed and expected of them and of the resulting artwork.

This will lead to the commissioner having confidence that aesthetic, technical, maintenance and timetabling roles and responsibilities are agreed and will be carried out.

The following is a checklist of headings for an artists brief:

The brief does not need to be lengthy, but should contain all relevant information and requirements.

Brief

- The aims of the commission e.g. enhancing a site, providing a focal point, integration with functional features.
- The exact nature of the site and its intended use and users with site plan if relevant.
- Relevant historical, social or other contextual detail.
- Possible themes for the artist's consideration.
- Community or public involvement required.
- Material specifications, perhaps for reasons of availability, durability, environmental concern or aesthetics.
- Information on 'in-house' styles.
- Constraints on the project.
- The design team that the artist will collaborate with.
- The budget for design, production and installation.
- Time-scale for design stage, production and installation.
- Planning permission requirements.
- Maintenance requirements.
- The selection procedure.

Commissioning and Selection

The work should be commissioned to agreed criteria by appropriate representatives of the commissioning body, with the necessary information and permission to take decisions. A professional artist should be commissioned, in one of the following ways:

- Direct commission

- Limited competition
- Artist on design team
- Open competition

Even if integrated, the work of the artist can be separately identified:

- The artwork should be unique.
- The feature or artwork enhances the use, enjoyment or interpretation of the site in a creative, aesthetic and singular way.

The work is created for a particular place, commissioned by or working in collaboration with others such as architects, landscape designers, planners, developers, arts officers, and community representatives.

Project Management

Needs for each project including technical and installation aspects, will be determined and accounted for on a project by project basis. Each project must make provision for:

- Management systems
- Appropriate consultation
- Setting a brief
- Setting criteria and a selection process and mechanism
- Selection, appointment and contracting of artists
- Monitoring and support
- Installation
- Completion and handover
- Documentation and marketing
- Insurance and maintenance plans

Artist Selection

The quality and content of the artist's work is important to a project. Their ability to communicate and to collaborate with others involved in the process is critical.

Recognising professional status is important in attracting the best artists to work on public art projects. Artists should be treated as peers in their work with planners, architects and other professionals. They should also be given realistic timescales for design ideas and creation of supporting material.

It is important that commissioning bodies acquire the knowledge to be able to locate suitable artists for each project and to use them in the right context:

Artists as designers

Artists can create a design for a prototype, which can be made in limited edition. Examples of this approach exist with design for street bollards, lighting columns and brick paving.

Artists as designers and makers

Artists and craftspeople more usually design and fabricate work themselves or with sub-contractors. The artist will be responsible for production, completion and usually installation, perhaps working with a foundry, or quarry.

Artist on design team

An effective way to develop a project is to employ an artist as a member of the design team. They offer creative lateral solutions to design issues and can

add skills and value to the collaborative process.

Lead artists

The main function of a lead artist is to manage the public art element of a project and its interrelation to other concerns of the project. The artist may be commissioned to produce their own work, but primarily they would oversee the artistic development of styles, themes and commissions of other artists which will benefit the distinctive identity of the development.

Selection Methods

The various methods for selecting or commissioning an artist are outlined below:

Method	Comments
Direct invitation or approach	<p>This is where an artist is directly invited to submit a proposal. Payment is made for the research and design stage. This is a good model in circumstances where a brief is clear-cut or in projects where the time scale may preclude the advertising of the commission. It can be the best model where a commission would be enhanced by the work or reputation of a particular artist</p>
Limited competition	<p>A small number of artists are asked to develop and submit proposals for a site following a site visit and delivery of the artists brief. A fee is paid to each artist for a proposal and appropriate payment for research and development which may include outline ideas, drawings, models, draft budget, time-scale and maintenance schedule. The artwork content of a proposal will normally remain the property of the artist on completion of the project.</p> <p>This is a good model for many schemes. It allows for selection between ideas and schemes and can offer flexibility in approaches and brief requirements. It is a contained process, which allows for the active involvement of developers and house builders with an invited panel and is relatively low in time and money resources to implement.</p>
Open competition	<p>The competition is announced by placing advertisements briefly describing the site and the commission in appropriate sources. These may include:</p> <ul style="list-style-type: none"> • South West Arts Board Newsletter • Public Art Southwest Network news • Local press • Any local arts networks • Circulars to arts officers and visual arts organisations <p>The full artists brief is not sent out at this stage. Artists are invited to send up to six slides or images showing examples of recent or relevant work (which should be returnable), and a CV. A panel of appropriate people then selects a small number of these artists. The artists are then paid a small fee to draw up proposals exactly as in a limited competition.</p> <p>This may be the only acceptable method to ensure equality of opportunity. Commercial Developers have also used the open competition very successfully to gain positive publicity for the site from the outset. This method uses more resources in staff time and money.</p>
Artist in Residence	<p>The artist is commissioned to produce work, usually after a time of consultation and within the community whilst based at a location near to the site or community where the public artwork will be placed. This is a valuable method of raising local awareness and involving communities in shaping their environment.</p>

The Selection Panel

The Selection of the artist should be made by those with agreed authority that can make sure that those decisions are honoured

A selection panel may include

- One or two representatives of the commissioner
- An arts officer or professional
- A representative of the local community
- A planning officer
- The architect

This is not an exhaustive or prescriptive list, and not all these people may be needed to commission.

Members of the selection panel should be involved from the earliest stage in the selection process and should see the process stages through to completion. Whenever possible, consensus over the final decision should be reached, and all parties should at least agree to the final choice.

It is important that the panel itself sets some criteria. The artist's brief is a good guide. This avoids selection on the basis of personal taste and subjectivity.

Timetable

With commissioning and short listing, artists should be given 4 -6 weeks to arrive at their costed design submission. They may be offered a site visit at the beginning of that period. With fabrication and installation, approximate timescales should be indicated in the brief, and then appropriate timetables can be negotiated, with milestones agreed and indicated within the contract.

Timetables may depend upon:

- Milestones within the contract
- involvement of sub-contractors
- community involvement
- scale and medium of the artwork
- the time of year

The artist's work schedule

Development and building contracts often have complex contractual timetables, which can change. This apparent uncertainty and complexity should not deter the decision of if and when to introduce an artist into the scheme. The earlier an artist is engaged the better the results can be.

Once an artist is commissioned, however, it may be better to delay fabrication or installation until the development is well established. This avoids damage and potential vandalism. The siting and installation can also act as an opening or a launch of a scheme.

Legal Aspects and Contracts

A public art Section 106 agreement or percent for art agreement may be one among many other agreements and contractual arrangements. In most cases the commissioner would have to agree a separate agreement or contract with the artist regarding the commission itself.

The artist work falls into three categories:

- Design only, supply and install by others
- Design and supply, install by others
- Design, supply and install by artist

The artists programme of work can also be broken down into three stages for administrative, budgeting and decision making purposes. These are:

- Sketch scheme
- Detailed design (including budget and timetable)
- Implementation

Contracts

Contracts should be clearly agreed and issued prior to any work taking place. It is essential that the client and the artist have had an opportunity to discuss and agree a mutually acceptable contract. Briefly a contract should include the following:

- Definition of involved parties names and addresses
- Details of the commission, the design phase and the artist's brief
- Responsibilities of the commissioner (e.g. site preparation, planning consents)
- Delivery of work, installation and insurance requirements, including professional indemnity
- Warranties and repairs
- Fees and methods of payment
- Ownership/adoption
- Risk of loss or damage
- Maintenance agreement
- copyright, reproduction rights, credits and moral rights
- Relocation
- termination of agreement
- Disputes procedure
- Schedule of work with milestones and completion date
- Decommissioning – outline of the rights to decommission a work of public art should it no longer fulfil it's purpose, becomes unsafe etc.

For fuller guidelines for artist's contracts, please see appendix 2

Consultation and Community Involvement

Some artists are particularly skilled in communicating ideas through presentation or using workshops at local level to generate ideas and images which can be fed into the final design process.

Artists must be informed at briefing stage if public involvement will be required and to what level.

Opportunities for encouraging public awareness, or direct public involvement in a scheme, do need to be carefully managed. The integrity of the artist should be respected and equally the public should not be patronised. It must be made clear where the roles and responsibilities lie so that members of the public are not misled into thinking they are being offered opportunities to design or choose work if they are not.

Benefits of Community Involvement

- Enrichment and enhancement of the environment for everyone
- Enhancement of developers status and image amongst communities
- Calming fears of environmental disturbance and conveying the best intentions of the developer
- Development of a sense of place, local identity and community pride
- Can decrease vandalism and create concern for the local environment

Range and scope of Community Involvement

Target groups may include:

- Residents committees
- Colleges
- Schools
- Traders
- Users
- Youth groups
- Geographic or interest groups.

Responding to Community Initiatives

Projects and schemes may not always be generated from developers or within the authority. It is important to be aware of and receptive to initiatives, which come from the community.

Maintenance and Decommissioning

Maintenance of Public Art Commissions can be a difficult issue.

Much funding for public art is for capital requirements and maintenance is essentially a revenue cost.

Cheltenham Borough Council requires commissioned works to be as durable and maintenance light as possible. This should be emphasised at briefing and contract level. Major commissions should require a costed maintenance schedule from artists, along with listed finishes, and a timetable for maintenance. It would be unreasonable to expect every work to be completely maintenance free and vandal-proof, any more than any other piece of street furniture or physical object in the public realm.

If the commissioner is aware of the maintenance within the area of commissioning, then they should make arrangements and agreements within those works to add in care of the artwork if appropriate. This may include power cleaning, landscape care, polishing and re-painting.

It is the responsibility of each brief and commission to ensure that any special maintenance requirements are detailed and can be met before commissioning goes ahead. It is important to determine the eventual owner of the work when determining maintenance. Community involvement, a quality selection process and a good commission can help to reduce the threat of vandalism, and high maintenance.

Sometimes changing circumstances, such as a complete change of use of a particular site, or user will necessitate decommissioning (removal, resiting or storage) of a work. Some commissioners have been resistant to commissioning permanent works, because of a feeling that permanent means hundreds of years. In general, a public artwork should be designed to endure in a location, for as long as is appropriate given the surrounding environment, other physical objects in the space, and the use that space is intended for. It is recommended that permanent works are 're-visited' every generation, say 20-25 years,

against agreed criteria, to ensure that it is still relevant and attractive in its setting.

Commissions should show plans for advocacy, marketing and education and allow resources for these when budgeting.

Wherever possible, an allowance should be made within each commission for documentation, and the Borough should set up an archive, both digital and hard copy of commissions as they arise.

Monitoring and evaluation

Projects will be monitored at regular stages by the public art panel in conjunction with other key stakeholders to ensure that the brief is being fulfilled.

Questions to ask when deciding on a type of evaluation to use:

- ? Should the process be continued after the initial results?
- ? What are the assumptions / known outcomes?
- ? How do you judge aesthetic merit?
- ? How are the results of evaluation going to be used?
- ? Are other professional benchmarks being adapted to the public art project?
- ? Are other professionals to be used?
- ? Are artists involved in this process?
- ? Who are these projects for? Art-world visitor, art critics, local people.
- ? What particular benefits are being sought?
- ? What specific objectives are being pursued?

Social evaluation – questions to ask

- ? How can a community voice and an artistic view coexist sympathetically?
- ? What were the effects on the people who lived with the works, whose lives are formed by the histories with which the artists were concerned?
- ? Have the different constituencies' opinions towards the work shifted? If so, in what ways? What has informed them?
- ? What symbolic values does the public art work hold for different constituencies?

Economic evaluation – questions to ask

- ? How do you judge success? Large audience and visitor figures / political support/ newspaper articles
- ? Have the funding bodies evaluated the work? If so how?
- ? How much is the public art used in guide books, other publicity, how many postcards have been printed & sold?
- ? Was there any inward investment from the private sector?
- ? Who gains from any economic benefit from investment?
- ? Has the place acquired a competitive advantage over other places because of the public art work?

Environmental evaluation – questions to ask

- ? How has the work, or the circumstances of its location impacted on the public contributing to their sense of place?
- ? What value and meanings do people attach to the landscape, nature and places?
- ? Which people are using the public art as for a place when describing where to meet?
- ? Have focus groups described the space and their use of it and did they mention the public art without being prompted?

Appendix 2

Guidelines for Artists' Contracts

1 Origination and fee

- what original designs/models/maquettes the artist will produce for the commissioner's consideration (perhaps by referring to rough plans/drawings made during initial discussions or even earlier)
- the date by which such work will be produced
- a global fee to be paid to the artist for carrying out such origination work
- payment terms

2 Fabrication, fees and costs

- fabrication materials, and their fitness for purpose
- completion date
- fabrication fee and associated costs (i.e. whether the artist will pay for the materials and labour out of the fabrication fee, or whether the commissioner will pay separately for these).

3 Installation, fees and costs

- method and manner of delivery of the finished work (or its fabrication on site, if that is the case); and dates
- access to the site; and dates
- preparation of the site; and dates
- installation processes and techniques; and dates
- health and safety aspects of the installation process
- landscaping the site after installation; and dates
- appropriate signage (acknowledging the work, the artist, and/or commissioner as appropriate)
- costs of delivery, installation, landscaping, signage and relevant insurance arrangements; and who pays
- installation fees (if any) for the artist, and/or their independent contractors
- method and manner of payment of costs and any fees.

4 Maintenance, fees and costs

- the method and manner recommended by the artist for maintaining the work
- frequency of health, safety and deterioration/maintenance surveys; and by whom
- a maintenance manual prepared by the artist
- arrangements for the artist being informed and consulted when maintenance or renovation is required
- clear responsibilities of the owners of the site and/or owners of the work (if not the same individual/body)
- responsibility for costs of maintenance
- payment of maintenance and/or consultancy fees to the artist (if any)
- public liability insurance and payment of premiums.

5 Ownership, moral rights and copyright

- the artist (even though they do not own the site)
- the commissioner (even though they do not own the site)
- the site-owner (even though they have not paid for the work or its installation)
- the financial sponsor (even though they do not own the site)
- some other person/beneficiary.

Appendix 3

Further Information

Resources

Public Art South West (PAWS), a service funded through South West Arts - the regional arts board.

- They co-ordinate a public art network of officers, artists and other interested professionals which covers the South West.
- They host a website - www.publicartonline.org.uk, an online resource for detailed information on public art practice. The site includes links to other useful sites, case studies, directories and news.
- They hold a register of consultants and freelancers working in the public art field.
- They offer some training, advice and can point to other resources.
Contact Maggie Bolt the Director. Tel: 01392 218188

Other Sources of information

- National Artists Association who publish guidelines on contracts and agreements.
Tel: 01237 470440
- Publications such as *Artists Newsletter*, Arts Council England, South West newsletters on public art and visual arts/craft magazines etc.
- Local artist networks
- Axis, the national database of artists: www.axisartists.org.uk
- Arts, planning and housing officers in other authorities who have experience of Public Art

Useful websites

www.publicartonline.org.uk

www.art-outside.com/