

Cheltenham Borough Council
Social and Community O&S – 6th September 2010
Public Art - Review

Accountable member **Councillor Andrew McKinlay, Cabinet Member Sport and Culture**

Accountable officer **Wilf Tomaney – Urban Design Manager**

Accountable scrutiny committee **Social And Community**

Ward(s) affected **(All)**

Executive summary The Public Art Panel has been in existence since 1992 and has operated with some success. The Council also has adopted a Public Art Strategy and a Public Art Supplementary Planning Guidance note, both in 2004. In addition, public art features strongly in Civic Pride. It is considered that with the onset of Civic Pride, the introduction of Gloucestershire County Council as the body responsible for highway land and in the light of experience in operating the current systems and processes, a review of the Council's approach to Public Art is due. It is hoped that the review can clarify and streamline processes so that the system can be more effective and provide more opportunities for public art installations.

- Recommendations**
- 1. That the Committee establishes a small Public Art Review Group including Borough members, a County Council member and a representative of the arts community, with support from appropriate officers as required.**
 - 2. That the Review Group's examines the processes, policies and procedures associated with delivering public art.**
 - 3. That the Review Group establishes a detailed timetable at its first meeting, but aims to bring a final report back to this Committee in about 6 months, with interim progress reports if considered necessary.**

Financial implications	<p>There are no financial implications arising from this report, other than the cost of staff time in supporting a Public Art review group. However, there is no existing budget to support the cost of any work programme recommended by such a group.</p> <p>Contact officer: Sarah Didcote, sarah.didcote@cheltenham.gov.uk, 01242 264125</p>
Legal implications	<p>None specifically arising from this report, but the provision of works of public art will continue to be covered by legal agreements and contracts as necessary.</p> <p>Contact officer: Nicolas Wheatley, Solicitor, One Legal, Nicolas.wheatley@tewkesbury.gov.uk, 01684 272695</p>
HR implications (including learning and organisational development)	<p>None</p> <p>Contact officer: Julie McCarthy, julie.mccarthy@cheltenham.gov.uk, 01242 264355</p>
Key risks	<ol style="list-style-type: none"> 1. There is a risk to the Council's reputation if Public Art is either not delivered or its delivery is badly managed. 2. There is a risk of not achieving some Civic Pride objectives if the Council cannot deliver Public Art effectively and efficiently – this may have knock on impacts on environmental quality, economic function of the town centre etc.

<p>Corporate and community plan Implications</p>	<p>1. Ability to deliver Public Art impacts on a number of Corporate Strategy Improvement Actions 2010 – 2011 across a range of objectives, principally:</p> <p>Environment: Cheltenham’s natural and built environment is enhanced and protected.</p> <p>Economy: We attract more visitors and investors to Cheltenham.</p> <p>Arts and Culture: Arts and culture are used as a means to strengthen communities, strengthen the economy and enhance and protect our environment.</p> <p>2. As part of a wider strategic approach to the environment, public art can also deliver on Corporate Strategy outcomes aimed at safer communities and encourage low carbon travel.</p>
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1. Background

1.1 Cllr Rowena Hay has requested a review of the Public Art Policy. Following discussions with Cllr Hay it is suggested that the review ought to be wide-ranging. The purpose of this report is to highlight the issues and seek agreement of the committee to the scope of and indicative timetable for the review and membership of the review panel.

The Role of Public Art

1.2 Cheltenham has a long history of art in public places and on public display. It enlivens streets and spaces and adds to the heritage, cultural and visual value of our streets, spaces and buildings. It can establish links to the past, provide interpretation of spaces and events and add interest to our streetscene. It can provide a focus for community engagement and, as part of its contribution to environmental quality, can contribute positively to the local economy, safer communities and sustainable travel. Cheltenham has a wide range of work, stimulating discussion and becoming the focus for events and the promotion of the town.

1.3 Public Art is defined as any work of visual art or craft produced by an artist or craftsperson and sited in a location that is freely accessible to the public. It may be new work

commissioned specifically for a particular site, or an existing work sited in a public place. It may be made by an individual artist or as a result of a collaborative process involving other design professionals or members of a local community.

- 1.4** The term Public Art not only encompasses publicly sited sculpture, painting, prints, photographs and crafts but also includes artwork incorporated into a wide range of projects, from playground designs, signage, street furniture, lighting schemes and landscape designs to the internal detailing of a building, its furniture, flooring or even its crockery. Public Art refers to permanent artworks as well as artist-in-residence schemes and temporary projects – from video projections to Internet projects - where the emphasis is on public work.

Provision of Public Art

- 1.5** The continued provision of public art in the town is now guided in a number of ways. These include :

- a The **Public Art Panel** set up in 1992. Its terms of reference establish its function as
- i To provide appropriate direction and advice to the disposal of funding received via the Section 106 process;
 - ii To provide guidance and support to anyone involved in projects containing elements of public art within the borough;
 - iii To undertake activity aimed at encouraging understanding and appreciation of public art through advocacy, education, training and promotional activity;
 - iv To encourage wider community involvement in terms of the siting and development of public art projects; and
 - v To advise on the choice of artists and the broad direction that the public art should take in order to maintain quality.

It currently has Member representatives (Cabinet Member Sport and Culture as chair and a Planning Committee representative) and representatives from the University of Gloucestershire, Civic Society and the community. It is supported principally by the Arts Gallery and Museum Manager, with help from the Arts Development Officer, Urban Design Manager and Parks Development Manger who are all in regular attendance.

- b A **Supplementary Planning Guidance** note (SPG) was adopted in 2004 to establish a planning policy basis for the provision of public art pieces through new developments.
- c A **Public Art Strategy** was published in 2004 to help tie the various elements together and establish a co-ordinated approach to the delivery and management of public art provision in the town.
- d **Civic Pride** has public art at the core of its adopted Urban Design Strategy and Public Realm Strategy. The Cheltenham Development Task Force Board, which is charged delivery of the project, is served by a number of working groups. The Public Realm Working Group includes public art in its terms of reference. The University of Gloucestershire has a representative on the group to ensure public art is considered as designs are developed for town centre streets and spaces. This is the same representative as on the Public Art Panel.

1.6 The main source of public art is through the planning system – with provision coming either as part of a development (e.g. the Barley at the Brewery) or as a contribution through a section 106 agreement (e.g. the Listening Stones in Hester’s Way Park). Other sources include private benefactors (the Holst Statue was funded largely from a Civic Society bequest); contributions from public funds (the Borough Council contributed to the Holst Statue and Norwood Triangle); and charities (improvements and artwork in the Norwood Triangle were funded mainly by the Big Lottery, with a S106 contribution and CBC funding).

1.7 Project management and implementation of public art is undertaken either by a developer (where the work is on a development site) or co-ordinated by the Borough Council (where

works are in parks, highways or other public spaces).

Issues arising from the current system

1.8 There are a number of issues arising from the manner in which Public Art is currently conceived, procured, implemented and managed. Officers had recognised this and were in the early stages of reviewing the system – though the job had a low priority and was not far progressed. Initial discussions had taken place with the chair of the Public Art Panel.

1.9 The initial thoughts are that the main issues are as set out below and these might form the focus of the O&S review.

a **Public Art Panel** meets infrequently and seems to lack focus, despite the undoubted enthusiasm of those involved.

b **Public Art Strategy** is out of date and needs reviewing, with a clearer function and purpose.

c Public Art is low on the **planning** agenda – perhaps inevitably in a time of economic recession.

d **Funding**, particularly contributions through the planning system, is generally insufficient to deliver expectations. There is no clear system for covering anything other than procurement costs (artist fees, work and installation). Other costs are not specifically covered in S106 contributions and this can lead to difficulties in delivery. These costs include specialist project management, selection of artists and competition fees, peripheral works (landscape, highways etc) and maintenance.

e Because public art is **delivered infrequently**, is not a core function for any one officer (indeed it is delivered across at least 3 divisions of the Borough Council and the County Council) and it is delivered in a variety of different ways there are delivery problems.

There seem to be two main issues:

- i The ad hoc and often unpredictable manner in which public art opportunities arise means that projects are rarely programmed in to any officer's **work programme** and come as an addition to normal workloads – this impacts on the time available to deliver both the art and the “day job”.
- ii There is no clear bank of knowledge in any one Division of the Council on the **processes** required to procure and deliver projects – each project is almost starting from scratch, with no set procedure.
- f The involvement of the County Council as **Highway Authority** is core to some projects. There are often divergent objectives between the Borough Council and the Highway Authority (highway safety and perceived risk; civic amenity and environmental enhancement; asset management and maintenance).
- g At the time of drafting this report, the County Council has made available an on-line resource – the **Gloucestershire Quality Design Initiative** – which offers information on public art. The extent and impact this initiative needs to be considered.

1.10 This list is not exclusive. It may also be painting a bleaker picture than is actually the case – projects do get delivered. However, delivery is often tight – both in terms of funding and officer time – and not without difficulties. Furthermore, improved processes may make it possible that more public art could be procured and delivered. A review of the whole function could help to address these issues.

2. Reasons for recommendations

2.1 In order to progress the review, it is suggested that the Committee establish a small review group including Borough members, a County Council member and a representative of the arts community. The group's remit will be to examine the processes, policies and procedures for the installation of public art from concept through commissioning to implementation and long-term maintenance. It is likely that the group will call on officers from a number of areas -

primarily the Art Gallery and Museums Manager, the Arts Development Officer, the Urban Design Manager, the Parks Development Manager, plus County Council officers and community representatives.

2.2 Considering the workloads of those involved a 6 month period to final report is likely to be feasible, with an option for an interim progress report; although the Review Group should establish its own detailed timetable at the first meeting.

3. Alternative options considered

3.1 Officers had commenced an independent review, but it lacked political direction, community input and commitment through various divisions work programming. A Review through the auspices of O&S gives the work an improved basis for moving any recommendations forward.

4. Consultation and feedback

4.1 The Public Art Panel currently has representatives of a number of stakeholder and community groups. It is suggested that these representatives are involved in the Review. The Review Group should also consider whether the level of community involvement in the process is correct and whether the right groups are involved.

5. Performance management –monitoring and review

5.1 It is suggested that the Review Group considers its detailed programme, but aims to report back to O&S in about 6 months. It might want to consider how it deals with interim progress reporting.

5.2 The Review Group could consider making recommendations on how any Public Art processes are reviewed in the future.

Report author: Wilf Tomaney, Urban Design Manager

Appendices: 1. Risk assessment

Background information:

Public Art Strategy 2004

Public Art Supplementary Planning Guidance 2004

Civic Pride Public Realm Strategy 2008

Appendix 1 Risk Assessment

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	I	L	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	Any risks associated with equality impact			0	0	0					
	Any environmental risks			0	0	0					
	Reputational risk if Public Art is either not delivered or its delivery is badly managed.	Urban Design Manager	August 2010	2	3	6	Reduce	Establish proper project management and funding arrangements	To be confirmed	Urban Design Manager	
	Risk of failing on Civic Pride objectives if the Council cannot deliver Public Art effectively and efficiently	Urban Design Manager	August 2010				Reduce	Establish proper project management and funding arrangements	To be confirmed	Urban Design Manager	