

**Extract from the minutes S&C O&S Committee July 2011**

**10. PUBLIC ART REVIEW**

Councillor Seacome, Chair of the Public Art Review Working Group introduced the report as circulated with the agenda.

The working group was formed by the Social and Community O&S Committee in September 2010, when Councillor Hay queried the effectiveness of delivery of public art in Cheltenham.

The working group discussed a range of issues and agreed upon a series of recommendations (A-J) which it considered would improve provision. He proceeded to highlight some of the recommendations.

The working group proposed that the core size of the Public Art Panel be reduced, to include co-opted members on an ad-hoc basis.

Where generally the panel was chaired by a council member, currently the Cabinet Member with a cultural brief, the working group felt that this hindered continuity and therefore proposed that the panel be chaired by an independent "lay-member".

Another recommendation was that rather than the current intermittent nature of the meeting schedule, the panel should have a regular programme of meetings within the Council's municipal calendar, with more regular ad-hoc meetings where necessary.

The working group found that funding was rarely of an adequate level to achieve the objectives and expectations of each project.

Finally, the Council had collected a number of Section 106 contributions of between £300 and £700 over the years and it had proved difficult to find suitable projects for this level of funding. The working group wanted to see these existing monies pooled and whilst this was not possible in legal terms, advice had been that this could be further explored through contact with the relevant developers. In future there would need to be a system which enabled the collection and pooling of smaller contributions

Councillor Hay, a member of the working group expanded upon the legal advice that had been provided on the pooling of Section 106 contributions. The suggestion had been that in future, a developer could be asked to agree to their individual contribution being pooled at the planning stage. However, if negotiations did not take place at this stage, the monies could not be pooled.

Where existing contributions had not yet been used, contact could be made with the developer in question to ask consent to pool the monies. There was a risk associated with this approach that the developer ask for the money back.

Members agreed that there was a misconception of what constituted public art, not necessarily a statue, etc, though admittedly the topic evoked differing opinions. A member felt that there was a need for more clarity on where the funding for public art was derived.

Members of the Public Art Review working group and the Urban Design Manager gave the following responses to questions from members of the committee;

- It was not for the working group to decide how the various appointments to the Public Art Panel would be made, this was a Cabinet decision. There were mechanisms in place for the appointment of Independent Members and this information would be circulated to Cabinet Members ahead of their meeting.
- Section 106 contributions were utilised to address the impact of a development and whilst an argument could be constructed for using the monies in the town centre, it could be difficult to justify using it in an entirely different ward.
- The report contained more detail in support of the recommendations and clearly explained what they aimed to achieve and why.

Councillor Smith highlighted Swindon Borough Council as an example of where Section 106 contributions were pooled for general use across the borough rather than limited to a specific area. He also felt strongly that Officers needed to demonstrate more innovation and use existing and future monies for other projects including play areas, etc.

James Harrison, as a member of the working group, had been struck by the level of discussion and got the impression that the Public Art Panel had, in the past been rather reactive and suggested that the aim of the recommendations was that the panel be more proactive.

Members were comfortable with the recommendations in their current form, on the understanding that Cabinet considered the comments of the committee.

Upon a vote it was unanimously

**RESOLVED** that the recommendations of the Public Art Review Working Group, as set out in the report to Cabinet, be endorsed by the committee and recommended to Cabinet for approval in conjunction with the comments made by the committee.