

ART in PUBLIC PLACES - A STRATEGY FOR HALTON CONSULTATION DRAFT

Planning Guidance Note:

- Make recommendations for securing public art work
- Provide guidelines for the development of Public Art projects in Halton to ensure quality of concept design and execution of public artwork - through a Planning Guidance Note
- Concentrate on the areas of both banks of The Mersey and Castlefields (up to Norton Priory) as pilot areas
- Identify the expertise needed (both internal and external) and clarify the roles and responsibilities of all those involved
- Outline a Commissioning Code of Practice
- Signpost funding opportunities for development
- Include an Action Plan, which provides mechanisms for effective project delivery. The Action Plan would guide future development and would include specifically recommended actions for the next three years.

Core Principle

At a most fundamental level, it is suggested that Halton adopts the basic standard of Article 27.1 of the 1948 Universal Declaration of Human Rights as a first principle, which simply states that:

“Everyone has the right to freely participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits”.

Definitions

Culture

In addition, the illustrative (but not exhaustive) Department of Culture, Media and Sport (DCMS) document ‘Guidance on Integrating Cultural and Community Strategies: Creating Opportunities’ defines lists the areas of ‘culture’ as including:

- Performing and Visual Arts
- Craft
- Fashion
- Digital, Film & Published Media
- Tourism, Festivals, Attractions
- Design
- The Built Heritage
- Architecture
- Landscape - Parks & Open Spaces
- Countryside & Wildlife Habitats
- Water Environment
- Sports
- Recreation

- Children's Play
- Playgrounds & Play Activities
- Informal Leisure Pursuits
- Language
- Museums, Libraries & Archives
- Archaeology

Public Art

National Public Art Think-Tank Ixia's definition of public art is:

"The practice of public art is diverse - the term conflates activities that include art, craft and design within the public realm. The spectrum of artistic practice represented by the term encompasses art commissioned as a response to the specifics of the public realm, craft commissioned as part of the designed environment and process based practice that does not rely on the production of an art object. As a result public art is difficult to define".

It goes on to say that:

"The process of commissioning public art is complex, and by necessity involves a number of partners. Issues of collaboration are at the centre of many public art commissions. As a consequence the process can be protracted and challenging. The commitment and resources required on the part of all creative partners and project facilitators is often under-estimated".

Further to that, the Northwest Development Agency's (NWDA's) public art funding guidelines definition of public art is:

Public art encompasses all the art forms, including the visual arts, performance, music, video and new media. The prime requirement is that projects or events are publicly accessible and site specific, designed for a particular place at a particular time. Projects may be permanently or temporarily sited and locations can include the interiors of buildings, the spaces around them, parks and waterways as well as the rural environment. Increasingly, public art is moving into new technologies and includes the use of light and projected images.

Artists should have as much freedom as possible to respond to sites and possibilities in their own way; briefs should be open, not prescriptive. Their work may mirror and interpret the environment of the place and this can sometimes include exploring difficult or sensitive issues.

Increasingly public art overlaps into the related disciplines of architecture, urban design, community participation and regeneration. This collaboration does not necessarily have to result in a 'work of art'. Artists working alongside other professionals and designers can contribute their conceptual and practical skills to the creation of buildings, other structures and public spaces.

Public art can have a part to play in the regeneration of communities. It can involve a process that encourages local people to embrace new ideas and skills, develop a sense of ownership and to engage in decisions about their locality.

Artists

Ixia defines artist working within public art more specifically as:

- Members of design teams, working collaboratively and contributing to the use and form of developments through research, reflection and propositions in relation to context
- Working to creatively engage with communities in order to explore and articulate issues of significance

- Working as commentators and provocateurs producing either permanent, temporary or process based public art

Benefits

As regards to the wider benefits to the community, Ixia sees these as:

- Generating pride in an area
- Increasing sense of ownership
- Developing cultural identity
- Changing an image
- Engaging with local communities
- Creating distinction, character and identity
- Contributing to quality of life, through good design and high quality surroundings

Arts Council England hold similar aspirations, and also believe passionately that the role of art and artists should be ever more integral to that process – and in particular need not be slavish to the social and regeneration agendas, but could deliver against their aims and target audience, whilst proactively enhancing, exploring, engaging, challenging and provoking both ‘people’ and ‘place’ in an ongoing process.

National Policy

Similar themes are duplicated in the aims of objectives of many key Stakeholders and as such are recognisable across a range of other regional and local strategies and policy - percolating down in related formats into many of these, be they NWDA’s Regional Economic Strategy, Strategic Frameworks or Quality of Life Indicators etc. As such, key factors of any public art programme can look to consider the wider perspectives of:

- Sustainable Environments
- Community Engagement
- Children & Young People
- Arts and the Creative Economy
- Collaboration & Partnerships
- Innovation & Best Practice
- Support & Training
- Evaluation & Evidence

Local Policy & Regional Initiatives

The sign-up from key representatives within Halton BC is key to the integrated development of any integrated arts and cultural strategy for the public realm. Of course, all partners have already signed up to the joined-up principles of Sustainable Communities and their holistic ‘Quality of Life’ aspirations for residents - and this can also be the accepted starting point for any justification for the integrated role for artists and culture in any future regeneration programmes. In summarising local policy and strategic initiatives, the key issues that crop up repeatedly are the:

- Sustainable Communities agendas
- Flagship Mersey Crossing and its associated transport infrastructure
- Environmental, tourism, leisure and cultural potential of the Mersey Waterfront Regional Park and associated greenspace
- Housing regeneration programme
- Business, Skills and Education development
- Development of People and Jobs

- Building Infrastructure
- Quality of Life Issues

Consultation & Engagement

There is a need for a clear single process and understanding of how to feed general community information into Halton's public art programme. As such, it is felt that there is a need for effectively more community workers on the ground – and these could be provided by an additional role for artists to take up this mantle.

Core Wish List

A number of key issues are suggested. These included a wish-list for certain generic considerations to be addressed within the future mix - namely:

- Clustered yet independent public art pilots - centrally marketed with a Halton 'brand'
- Early engagement of artists, and artist-led projects generally
- Artist involvement in key strategic projects
- More public art partnerships – including community, business and design teams
- More joined-up and creative thinking over strategies, masterplans and budgets
- Achieving a balance of scale of work, including holistic 'small is beautiful' approaches
- Welcoming a range of commissioning practice and opportunities
- Exploring site-specific notions of 'time', 'place' and 'local distinctiveness'
- Temporary arts programmes - running in parallel rather than just gateway pieces
- Growth of resources to help integrated arts facilitation and delivery
- Pilot of community arts involvement groups – to be part of any Area Forums or Citizens Panels.
- Building relationships to and a database of local artists and creative industries around Halton
- Creating indirect outputs of skills development – such as attending basic design courses
- Development of art as a tool for community engagement and training
- Art treated as integral to the design process and not treated as an optional extra
- Artists exploring direct community focused approach to feed into ongoing regeneration designs
- Holistic artistic programme engaging both design professionals and local residents
- Innovation around the creation of a Section 106 or any new Planning Tariff arts spending strategy – potentially linked to any future developed SPD's

Artistic Vision

As far as more specific issue-based priority areas, although not exhaustive, these are identified as:

- Clustered public art pilots (such as Widnes Waterfront and Castlefields) centrally marketed and geographically linked to the core Halton Waterfront
- Programmes to explore notions of improved navigation around the neighbourhood – including to and from the waterfront.
- Artistic focus to concentrate on how good the area will be in 15 – 20 years
- Feeding-into all Environmental improvements
- Programmes deliberately built around issues of 'Image and Identity' and issues of relatedness to the identity of 'Place' – connecting people back to place via art or making art that responds to place that attracts people.

- Parallel programmes built around 'People Centred' focus – and perhaps targeting minority, special interest and hard to reach groups.
- Strategic capacity building with the developer/design teams to free up budgets for art and people.
- Role of artists working directly within these design teams if possible to have artist involvement as early as site identification.

Public Service Agreements

Following the 2007 Pre-Budget Report and Comprehensive Spending Review, 30 Public Service Agreements's (PSA's) have been agreed. A number of PSA's have specific relevance to the cultural sector and are linked to below:

- PSA 7 - Improve the economic performance of all English regions and reduce the gap in economic growth rates between regions.
- PSA 21 – Build more cohesive, empowered and active communities.
- Includes a variety of indicators, including those to assess community cohesion, sense of belonging, culture and social capital.
- PSA 22 – Deliver a successful Olympic Games and Paralympic Games
- PSA 10 & 11 – Raise the educational achievement of all children and young people
- PSA 12 – Improve the health and wellbeing of children and young people.
- PSA 4 – Promote world class science and innovation in the UK.

NWDA

The Agency believes strongly that public art can contribute to the achievement of the Regional Economic Strategy objectives – and this is the justification for any potential funding. They believe that in particular public art can help to:

- Renew and transform urban and rural areas, both developed and regenerating.
- Restore the environmental deficit through regenerating areas of dereliction and by investing in the highest quality environmental assets.
- Project a positive image, reinforcing strong regional brands and countering negative stereotypes.
- Promote high standards of design, landscaping and architecture by creating or adding to distinctive public spaces, environments and buildings.
- Encourage further investment, tourism and employment.

Local Partnership Board & Specialist Strategic Partnerships

The Community Strategy has been underpinned by the State of the Borough Review - a major research project that looked at the social, economic and environmental conditions in the borough, identifying needs and underlying causes. The partnership identified five key strategic priorities, which aim to make Halton a better place to live and work:

- A Healthy Halton
- Halton's Urban Renewal
- Halton's Children & Young People
- Employment Learning & Skills in Halton
- A Safer Halton

Percent for Art

According to recent consultation documents for Halton Lea Town Centre and Runcorn Old Town, and in accordance with Unitary Development Plan (UDP) policy BE2, the Council will seek all new development (including change of use), within the centre, to allocate 1% of their total construction costs towards the enhancement of public art. This will be required to be either directly provided on or off site; or via a commuted sum towards the provision of public art in the defined area. All public art must be demonstrated to be provided within a publicly accessible or visible locality where appropriate, maintenance and other revenue implications will be taken into account when provision relates to a specific work of public art.

The term 'Percent for Art' refers to a widely used funding mechanism for public art projects. Percent for Art schemes should encourage the artist or craftsman to be involved at the very beginning of the design process. This ensures a cohesive and fully integrated scheme. It can also be cost effective as the artist can work within existing capital budgets. In order to use it effectively, it should be employed in the context of a wider public art strategy adopted by an authority. It should not be viewed as the only way of encouraging commissions.

Suitable policy wording is important. The following wording has been advised by Robert Carnwath QC on behalf of the Arts Council of England and has been adopted by many local authorities as a way of encouraging voluntary participation:

"The local planning authority will, in appropriate cases, encourage the provision of new works of art as part of schemes of development and, in determining an application for planning permission, will have regard to the contribution made by any such works to the appearance of the scheme and to the amenities of the area."

It is also helpful to produce a guidance note for developers about public art and Percent for Art and how it benefits them and how to go about developing a public art commissioning plan for their development.

Once the principle has been established and accepted, assistance should be made available to those who wish to commission work. One way of doing this is to set up a resource which can give advice on every aspect of commissioning: budgets, contracts, examples of projects and how to identify artists. The need for access to professional expertise in the form of a public art consultant or internal officer post should also be recognised and information made available as to who can undertake this sort of work.

Funding From Existing Projects and Programmes

Rather than be seen to be starting from scratch, it was recognised that a significant number of existing exemplar schemes, projects and organisations exist. These needed to be logged and exploited more fully in terms of looking for potential project-based funding contributions to come from them. Particular programmes, projects and/or organisations listed for immediate consideration were:

- Widnes Waterfront
- Halebank
- Southern Widnes
- Castlefields / Norton Priory
- Runcorn Old Town / Urban Splash / English Partnerships
- Halton Lea
- Runcorn & Western Docklands
- Halton Building Schools for the Future
- Mersey Crossing
- Mersey Partnership / Mersey Waterfront Regional Park
- Environment Agency Flood Defence Works (Widnes)

COMMISSIONING CODE

Public Art Steering Group

The key to this Public Art Commissioning Code is the role of the Halton-wide Public Art Steering Group facilitated by a specialist – either externally consulted or internally appointed.

Selection of Projects

A statement of how projects meet a set of established Funding Criteria for Commissions must support all projects and should ideally be considered initially through the vehicle of a facilitated Public Art Steering Group. Such an enhanced Steering Group should be established to ensure that all projects, which are considered and recommended for approval, and take account of the following:

- Illustrate huge quality and innovation in the arts
- Represent value for money
- Have realistic targets and timescales
- Are appropriately budgeted and offer market rates to artists and project managers
- Can demonstrate support for the project, including community support/consultation – if appropriate
- Offer a distribution of projects across Widnes Waterfront and wider Halton.
- Have taken account of any relevant planning regulations, bye-laws, listed building or Site of Special Scientific Interest status (SSSI)
- Have taken account of physical ownership, copyright, health & safety and maintenance issues
- Guarantee reasonable public access to the commission location/site, including any private sector scheme or development to which the Innovation Fund has committed financial support.
- Incorporate appropriate and effective evaluation which will be publicly accessible for research purposes

Artist Selection Methods

The Steering Group could help teams select artists from both direct appointments and through open and closed competition. An outline project proposal should be prepared to indicate which selection method is proposed, and the reasons for the method of Artist Selection used. A number of alternative mechanisms are usually used to achieve this:

- Limited Design Competitions - An invitation to a minimum of three or four artists to respond to the brief in the form of a proposal. This could include a maquette or model of the proposed work, drawings, site plans and budgets.
- Open Competitions - A Call for Artists advertised in the art press, slides or portfolios are submitted to the selection panel. This may precede a limited competition.
- Solicited Appointment - An approach is made directly to an artist, usually preceded by research and studio visits. If appropriate, this approach could take place with the advice of a specialist consultant or the Public Art Steering Group in order to ensure that the needs of both the client and artist are met.
- Competitive Interviews - Artists invited to attend interview and make presentations of past work to the Steering Group.

Artist Brief

The Halton Public Art Steering Group can help provide advice on Artist Briefs. However, it is suggested that the Artist's brief should normally consider:

- Who the commissioner is, their mission and normal areas of work.
- Background to the project including principles established by the feasibility
- Vision for the project
- Site details - factors to be considered
- Technical brief
- Timescale
- Selection criteria and panel
- Selection procedure
- Outline of contract stages and sample contracts
- Budget - is this global, does it include VAT
- Ownership and copyright - including designs, models etc.
- Requirements of artists in responding to the brief
- Indemnity and Public Liability insurance requirements - during development and post completion
- The artist's role in consultation
- Life cycle and Decommissioning factors

Project Management

It is assumed that projects can normally be monitored through the various area-based Regeneration Teams, Landscape Services or the Arts Development Teams (subject to resources and priority). They can also be managed via the employment of an external Project Manager or Lead Artists. A pool of such Project Managers and Lead Artists exists in Halton BC's Approved Suppliers List.

Artist Agreements and Contracts

Artist's contracts can be issued having regard to standard guidelines adopted by the Halton Public Art Steering Group, which should be based on the standard Halton Artist Contract as well as recommendations of Arts Council England and The Artists Information Company. These will need to also be in compliance with Halton Borough Council's Contract Standing Orders and Financial Regulations. In certain cases where standard contracts are required for minor scale built environment work, it is suggested that a standard JCT Minor Works Contract, with Contractors design (MWD) be the favoured standard.

Tendering Procedures

It is suggested that full-tendering procedures might be adopted for all projects valued in excess of £50,000. For projects with a value less than £50,000 procurement could follow standard agreed tendering procedures in all instances where appropriate and in order to demonstrate value for money. However, where three tenders are not available (owing to the specialist nature of a commission) a waiver could be sought subject to the agreement of the Steering Group. This information is subject to the standard terms of Halton Borough Council of course.

Eligibility for Artist Funding

The following areas of work are suggested to be eligible for consideration for funding under any public art programme within Halton, provided that they are part of a solicited or invited commission:

- Speculative Research and feasibility studies for projects
- Artist's design proposals
- Artist residency programmes (and associated costs)
- Artist's fees, travel and subsistence expenses
- Transport, site preparation and installation costs
- Promotion and marketing costs
- Project management fees (for externally placed project management)
- Community participation programmes linked to projects
- Speculative project Seed-funding
- Project documentation and evaluation
- Maintenance or after-care endowment (for Halton Borough Council-owned property/land only)

Innovation & Incubation

Whilst the remit of this Planning Guidance Document is not about getting comprehensively engaged in the complex and specialised world of facilitating the development of creative ideas and creative industries more widely, it is identified that some times there is a valid case for open-ended temporary commissioning – either as residencies, action-research or research and development of feasibilities.

Evaluation & Monitoring

Linked to models of good sustainable practice as well as the developing brief from DCMS to integrate higher levels of evaluation into all Culture-in-Regeneration initiatives, it is suggested that all public art programmes set up ought to aim at eventually becoming self-sufficient. In order for this to happen, methods to highlight and evaluate good practice must be developed in parallel to the on-going programme. Current exemplars by IXIA under its Open Space Evaluation Model is one suggested model for consideration.

Maintenance & Decommissioning

Often forgotten about, the important issues of maintenance and decommissioning need to be considered at the outset, with a contingency created to deal with the hypothetical typical life of a commission – be it a 1-week temporary installation project or a 30-year permanent sculpture. It is suggested that based on experience a figure or percentage be agreed at the outset of all projects and an endowment levied and kept in trust to deal with maintenance and decommissioning issues that are deemed over and above the normal everyday duties of Halton BC.

Marketing & Advocacy

The practice of justifying the benefit of art and culture in regeneration (particularly commercial developments) is notoriously difficult to prove factually – particularly where clients and stakeholders are ill informed or (worse) lacking in interest or motivation. In addition to this, public art often generates extremes of public reaction, rather than a comfortable middle ground of consensus. Because of this, the local media outlets of local papers and television often showcase public art in a trivial manner to debate the worth of local tax payers funding fine art – often with highly destructive results. Because of this, it is important that stitched-on to any public art public realm strategy is a sophisticated and regular advocacy and marketing system to pre-empt such bad press.

Conclusion

Expectation and scope for the role and benefit of engaged public art within Halton clearly already exists. In addition, there are various major regeneration programmes ongoing, and all are at a relatively early stage, as to provide a real opportunity to implement something really creative and sustainable. In meeting this expectation, the range and commitment of both Halton BC and their wider Stakeholders means that if it can be made to work with a genuine sense of collaboration and with early successes, it is very likely to become embedded and sustainable over time.

Once this fundamental connection is accepted, then the whole point and purpose of any integrated community arts programme seems clearer - after its justification becomes stitched-in holistically to the wider 'Quality of Life', 'Sense of Place' and 'Liveability' agendas. These are of course no-longer buzz-words, but established essentials. As such, the simple key to the establishment of a truly sustainable programme of engaged public art in Halton is the recognition and sign-up to this basic public art philosophy by all of the core Partnership members.