

## Guidelines for Commissioning Public Art in Ipswich - Ipswich Borough Council

The Cultural Strategy 'Vibrant Ipswich' outlined the focus for Art and Culture in Ipswich up to 2010. The next Cultural Strategy 2010 to 2021 is currently being prepared with a key action for Arts Development being support for the provision of public art works across the town. This supporting guidance offers advice on design consideration and criteria for incorporating art features and commissions for new development and regeneration projects.

### 1. Background

Involvement of artists in the natural and built environment is widely acknowledged as good practice. Buildings and public spaces benefit from creative interventions that enhance the environment and is a valuable part of the development process encouraged and supported by the Council.

Ipswich places great importance on the maintenance of its rich built heritage and is ambitious about its innovative regeneration. Combined, these continue to improve the town's cultural status and enrich the lives of its residents and visitors. Public art in Ipswich aims to raise standards and expectations through creative opportunities when they arise while engaging people in their local environment.

The Borough adopted its Percent for Art policy [DC7] in the Local Development Framework Core Strategy in September 2009. This states that:

***Major developments shall include a substantial public art proposal likely to be equivalent to about 1% of the construction contract value of the development scheme. Proposals must be fully integrated into the proposed development at the design stage.***

*9.63 Public art can play a critical part in the development and regeneration of places by making the architecture and/or the setting or public space around them more attractive, and establishing a sense of place and local identity. It also has intrinsic cultural and aesthetic value.*

*9.64 The placing of public artworks on or off development sites is a material consideration in the planning system. The Council encourages all major developments (10 or more dwellings or 1000 sq. m or more of non-residential floorspace) to integrate public artworks as part of the overall design concept from the outset. Applications for development should incorporate information on the content and quality of any artwork into the accompanying Design and Access Statement.*

*9.65 In exceptional circumstances where the incorporation of artwork is not possible within the development, the Council will seek an equivalent financial contribution to a 'pool' for the commissioning of public artworks elsewhere within the Borough. In such cases, the requirement in the policy for integrated design would not apply.*

These guidelines aim to assist partners engaging artists to create work within development schemes accessible to the public or forming part of the public realm to encourage and nurture pleasurable environments for residents, visitors and businesses and enhance local distinctiveness.

Ipswich is committed to working with a wide range of partners to develop public art. Over the last 40 years the Borough has seen a wide range of commissions, both architectural and free standing including the major Ravenswood housing area with works by Rick Kirby, Martin Heron, Andrew Smith and Diane MacClean. See *Public Art in Ipswich* [www.ipswich.gov.uk/publicart](http://www.ipswich.gov.uk/publicart).

## 2. Introduction

These guidelines are a resource for:

- *Council Officers* – responsible in improving the Ipswich's environment.
- *Private Developers* – coming forward with planning applications and master plans.
- *Individuals or Organisations* – wishing to fund or develop proposals for public art.

The recommendations should be tailored to fit a particular project, making commissioning as straight forward as possible to:

- Maximise opportunities of high quality art works in public developments;
- Provide opportunities for creative activity;
- Promote diversity and a sense of place.

Commissioned work should be appropriate to its location in terms of public usage and design context; scale and value and be visible by and accessible to the public. Work should remain on site for the agreed period outlined in any maintenance agreement to complement the overall objectives of the development.

## 3. A Context for Public Art

*'The practice of public art is diverse and can be difficult to define. The term "public art" encompasses art, craft and design within the public realm. The range of artistic activities it represents includes art and craft commissioned as part of the designed environment and in response to the specifics of the public realm. Public art does not rely on the production of an art object.'* (axia 'public art think tank' website, 2007)

Central Government has significantly raised the design agenda. As part of this acknowledges the value of public art and supports the concept through a number of government departments and organisations. Currently the Planning-gain Supplement supports the inclusion of public art activity and new planning legislation may include a public art tariff.

*'Our policy will be to promote 100% good design in our public buildings – through the design of the building itself and the green spaces around it or the involvement of artists in the project'* (Culture & Creativity: The Next Ten Years DCMS Green Paper 2001)

*'Public art can make a major contribution to giving a place character and identity, bringing people into and through places. An extra layer of quality can be obtained for a small proportion of the total project budget'* (Urban Design Compendium: English Partnerships / Housing Corporation / Urban Design Alliance 2000)

*Commission for Architecture and the Built Environment (CABE) an advocacy and enabling, '...art and artists can contribute to the development of a better built environment, promoting a higher quality of life. This is not simply through placing art in public spaces, but by involving artists as part of creative teams to transform places. CABE supports this new kind of approach, bringing creativity back into the design of new urban spaces, but also into regeneration and renewal*

*schemes, helping to put excellence back into the ordinary and the everyday as well as the iconic.’ (Chris Murray, Director of Partnerships, CABE)*

*The Government and CABE have defined public art as “permanent or temporary features for any location freely accessible or visible to the general public, whether part of the building or free standing; can include sculpture, lighting effects, street furniture, paving, railings and signs.” (By Design – urban design in the planning system: towards better practice, 2000)*

#### **4. Best Practice**

The Council as local planning authority expects developers either at pre-application stage or as part of the initial submission of a formal application, to make explicit in the accompanying Design & Access Statement<sup>1</sup> how the artistic aspect has been incorporated into the scheme for the public benefit in just the same way as e.g. highway engineering or landscape advice is incorporated.

Each project has individual considerations and ways of working with artists (or craftsmen) may also differ accordingly but the following methods of engagement are:

- Selection as a member of the design team bringing ideas to the design of street furniture, pathways, paving and lighting etc.
- Selecting to produce public artwork on site
- Selecting to produce public artwork (freestanding) off site
- Selection to work with the community as an artist in residence scheme
- Select for temporary artworks (installation or performance for example)
- For develop of larger schemes which may involve commissioning a number of artists

**The key to a successful public art project is to plan for the involvement of artists at the earliest opportunity in the development process, ensuring that any costs are considered as part of the process**

Attention should be paid to developing a project and a process appropriate to its context. Outlined below are some issues important to achieve success

**What are your requirements?** What you want to achieve? (Identify potential sites and or opportunities for artist/s.)

**What kind of work is anticipated?** Is it to be temporary or permanent (up to 20 years)? Is it celebratory or conceptual? Is it functional or integral? (*e.g. hard and soft landscaping that could include artistic elements in addition to paving/floor designs, play schemes, tree planting, lighting etc.*)

**What is the funding?** Set the budget, including any sources for additional funding, and a suitable timescale for completion.

**What is the brief?** Develop a brief covering aims of the project and themes identified for Ipswich. Who is involved: consultation, audience, materials, site details, ownership, public liability, budget, timescales, installation and technical issues (including future maintenance)?

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<sup>1</sup> The Access element of the Design & Access Statement should indicate how public art proposals will respond (where necessary) to the disabled user expectations of public art integrated into the scheme.

**What is the process of selection and development of the preliminary designs?**

Agree an appropriate method, which may involve commissioning preliminary designs for a fixed fee enabling the partner to become involved in the development of ideas.

**How is commissioning and contracting an artist handled?** - See Section 6 - Contract Requirements.

**Is Planning Permission required?** - See Section 7 – Planning.

**What form of consultation?** Is there a need for public involvement? for the project. Consultation with local people should be considered and if this is appropriate, might include workshops in schools, presentations to local groups or questionnaires.

**How is monitoring production progress and installation managed?** – Regular communication with the artist is essential and should be established from the outset (from the development stage through to finalising the design and installation). Finding an appropriate artist or artists and managing the process can be complex. It is suggested that specialist advice is taken from an independent commissioning agency with guidance from the Borough Council. See Section 11 – Support.

**Is marketing and press relations needed?** – A press and media strategy may be necessary depending on the scale of the project - ensuring that images of the work are included on the project's promotional and marketing material.

**How will the work be evaluated?** To guarantee the best outcomes, this should be part of an ongoing process, to feed into marketing and promotion,

**Who will manage and own the completed work?** This should be decided and agreed from the outset. Proponents need to clarify if the work is likely to be within the public realm (where a maintenance budget may be required). If located in publicly accessible private space; the artwork will need to be maintained by, for example, a site management company for the completed development. To secure this the Council may require a Section 106 Planning Agreement to be entered into.

## **5. Services and Advice to Partners**

A commitment to public art need not be limited to large-scale developments. Commissions can help foster community involvement and support business responsibility for both high profile and smaller schemes. They can provide a marketing tool and distinct focus for raising the profile of a development; add prestige to commercial and residential developments or creative signage for retailing. Costs allowed for in the design budget early on can be an inexpensive way of adding value to a scheme and help lever in grant aid and further investment for artworks.

Subject to the planning policy in the Ipswich Core Strategy (see Section 1 above), the Council intends to be flexible in the way public art requirements can be satisfied provided the following principles can be demonstrated:

- Appropriateness to public usage and design context;
- Good practice in relation to project management and equal opportunities;
- A supporting education and interpretation programme;
- Recognition or ongoing care and maintenance.

Independent commissioning agencies can support the commissioning process and provide advice with any of the procurement stages. They may also assist or manage the various stages in a public art commission.

## 6. Selecting an Artist

The selection method must be decided early on and be clearly stated in the artists brief.

The three main routes for public commissions are:

### Open competition

The commission is advertised - promoted openly and all interested artists can submit their work for consideration and then design proposals invited. This is labour-intensive and time consuming. It should only be adopted if there are clear benefits but may garner a wide range of useful ideas.

### Limited Competition

A shortlist of artists are approached and are often commissioned to develop preliminary designs for which a fee should be paid to the artists. This is an effective method enabling informed choices to be made from high quality work, with relative economy of effort.

### Direct Invitation

A single artist is directly approached based on previous experience or knowledge; advice or research, and commissioned to produce a design proposal. This method is most suitable for smaller projects, or when commissioning a leading national or international artist.

Whatever the commissioning method to be adopted, where no preferred artist has been selected for the development; in order to foster local distinctiveness the Council will encourage developers to consider using local artists, and recommends that such commissions are initiated through a dialogue with local or regional arts commissioning agents such as Commissions East [www.commissionseast.org.uk](http://www.commissionseast.org.uk)

As with any other occupation, artists aim to maintain continuity of employment and income. Commissioning needs to allow sufficient lead-in time for process and output.

If a competition is organised, a selection panel should agree assessment criteria to assess competing artist's proposals. These might include:

- The artist's CV and record of work - how long they have been producing public art;
- The quality of the work - the initial presentation, materials, suitability for purpose and originality;
- Ability to involve the community or 'users' - the artist's understanding and experience of different methods of community consultation and range of groups they have worked with previously;
- The artist's knowledge and experience of working collaboratively alongside architects, developers, contractors and landscape designers;
- Financial awareness and appropriate, realistic budget proposals for the commission;
- Timescales and understanding of different phases and permissions required to deliver the commission.

### Selection Panels

Depending on the type of project being undertaken this should include the Commissioner and all partners; a representative from the funding body (if applicable) and a member of the local community or stakeholders external to the commissioning team (if applicable); and a Council Planning Officer.

## 7. Contract Requirements

Contractual agreement between the commissioning partner and the artist should take the following into account:

- Description of the project - artist's brief
- Fees -linked to design and production stages and employment status of the artist
- Timescales, insurance and liability
- Community consultation
- Delivery and installation
- Management and maintenance responsibilities
- Repairs and liabilities
- Copyright and ownership
- Press and marketing (education/engagement process)
- Relocation or de-commissioning
- Termination and arbitration

As each public art project should be bespoke it is strongly recommended that tailored artist contracts are created for each commission. An independent commissioning agent can offer advice for setting out proposals for artists and developing artist's briefs].

### **8. Planning**

Where public art is part of a development scheme and designed to be permanent; the commissioner / partner should consider pre-application discussion with the Development Control Service to establish the suitability of the proposals and include these within the Design & Access Statement as part of the application for planning permission. This should establish:

- An outline proposal for the artist's involvement;
- The contribution made to the quality of the environment and community;
- An outline of the planned commissioning process;
- The likely budget as a percentage of the construction value of the scheme;
- Consideration of future care and maintenance

At full Planning Permission stage (or the submission of reserved matters) the following will be required:

- Detailed proposal for the involvement of artists;
- Demonstrable contribution to the environment or community involvement;
- Description of the commissioning process;
- Evidence of complying with the LDF Core Policy and supplementary planning guidance;
- Full budget details in relation to construction contract value;
- Schedule for future care and maintenance

The provision of public art may be made a Condition of Planning Permission or may be the subject of/part of a Section 106 Planning Agreement.

There may be circumstances where a freestanding artwork may require separate planning permission. It is advisable to check with the Development Control Service at an early stage.

As public art is one of many matters for which a S106 Agreements may be appropriate, the Council will determine if this should be funded through the planning process should development be approved.

For further information on planning aspects can be obtained using the contacts at the end of the guidance.

## 9. Budgets and Funding

One source of funding for public art is S106 Agreements but as this funding must also contribute to e.g. infrastructure, priorities sometimes have to be established. Contributions from S106 Agreements are determined through negotiations with the Development Control Service based on a detailed estimate of the construction costs followed by details of the public art proposal for the site.

Expenditure on public art can cover the following:

- Specialist advice and project management;
- Artist selection costs;
- Artists' fees for design and implementation of the work;
- Cost of production - materials and fabrication;
- Preparation of groundwork, services and installation;
- Technical fees - e.g. employment of a specialist contractor or engineer;
- Delivery of work on site;
- Linked education programmes, consultation and community involvement;
- Interpretation;
- Promotion/marketing;
- Provision for insurance and maintenance.

Partners may be able to secure external funding to enhance their contribution, for example by applying for grant aid. Assessment of funding applications often takes between 3 – 6 months and sufficient time should be allowed for this. Grant aid/funding schemes change on an annual basis, current information can be obtained from commissioning agencies.

## 10. Artists' Considerations

The motivation for artists to initially become involved in a public art project and influence involvement during its creation include:

- *Status within the project team* – the artist's roles and objectives in relation to the project,. Who is managing the project and how will you be supported?
- *Communication and managing relationships* – is there a close working relationship with people on the project team, including the partner(s), project architect, landscape designer, engineers and community group?
- *Brief* - Is there a brief that sets out the artist's role clearly and covers the aims of the project, those involved, site details, practical or legal constraints, permissions required, audience, fees, budget, timescales and technical issues?
- *Contract* – Does a contract state the terms of involvement, responsibilities and commitments, including production, installation and maintenance?
- *Key stages and payments* - Is there a fee for the preliminary designs? This may not always be appropriate and should be part of the initial consultation with the commissioner?
- *Communication and agreements* – Is the progress of the project recorded; noting meetings and conversations, achievements, budget monitoring and timescales?
- *Community involvement* - Does the project require consultation with the community and how will the artist approach this?
- *Building a portfolio* – Is there a method for documenting the project; quotes that can be used from community groups to the commissioning body?
- *Marketing and press coverage* - How will the project be promoted – devising an effective marketing plan paying particular attention to public relations, liaising with the partner and any other organisations involved?

## 11. Working Together

A key to a successful public art project is to understand all the stakeholders' requirements, share a vision and build a rapport from the outset. The project needs to ensure that the vision and ideas are projected throughout the delivery of a development.

- Agree to collaborate and set out methods to manage the collaboration;
- Undertake site visits, meetings, drawings, discussions, emails, to build a shared understanding of the project and its vision;
- Establish an understanding of the roles each stakeholder plays and the different skills and abilities of the individuals;
- Establish mechanisms for the collaboration, regular meetings, information exchange procedures, etc.;
- Create an overarching vision for the project which enhances the understanding of the site.
- An evaluation programme exists that identifies, from the outset, the key aims from all the contributors view points and can be an essential aid in the initial stages of collaboration.

### Contacts at Ipswich Borough Council

Development Control Service – Ipswich Borough Council  
Grafton House, 15-17 Russell Rd, Ipswich IP1 2DE

### Further References

See *Public Art in Ipswich* [http://www.visualarts-ipswich.org.uk/public\\_art/home.asp](http://www.visualarts-ipswich.org.uk/public_art/home.asp)

### Regionally advice and assistance

Art Council England East  
*Provides details of new projects, funding opportunities and artists and national links*  
[www.artscouncil.org.uk](http://www.artscouncil.org.uk)

### Nationally advice and assistance

CABE *Commission for architecture and the built environment*  
[www.cabe.org.uk](http://www.cabe.org.uk)

#### IXIA

*ixia is the think tank for public art - its aim is to provide an independent and objective view of the factors that affect the quality of artists' work in the public realm by undertaking research and enabling debate*  
[www.ixia-info.com](http://www.ixia-info.com)

Crysalis Arts – Public Art Sustainability Assessment <http://www.pasaguidelines.org/>

Art and Architecture [www.artsarchitecture.co.uk](http://www.artsarchitecture.co.uk)

Public Art And The Planning System And Process In England/Guidance On A Supplementary Planning Document For Public Art, ixia 2007, [www.ixia-info.com/pdfs/ixiaspdguidancejuly07.pdf](http://www.ixia-info.com/pdfs/ixiaspdguidancejuly07.pdf)

Public Art Online [www.publicartonline.org.uk](http://www.publicartonline.org.uk)

PROJECT *engaging artists in the built environment* [www.project-awards.org.uk](http://www.project-awards.org.uk)



COMMON GROUND *Common Ground is an arts and environment charity*  
[www.england-in-particular.info](http://www.england-in-particular.info)

### **A selection of commissioning agents <sup>2</sup>**

Royal British Society of Sculptors

*A membership society for professional sculptors. It runs an advice and information service and is committed to the pursuit of excellence.*

[www.rbs.org.uk](http://www.rbs.org.uk) T: 020 7373 8615 [info@rbs.org.uk](mailto:info@rbs.org.uk)

Art Office

*A consultancy of 27 years standing, run by Isabel Vasseur who was a pioneer of the Public Art movement at the beginning of the 1980s*

[www.artoffice.co.uk](http://www.artoffice.co.uk) T: 020 7483 3133 [info@artoffice.co.uk](mailto:info@artoffice.co.uk)

Plan-Art

*Plan Projects is a cultural consultancy that works with artists, developers, local authorities, regeneration agencies and communities*

[www.plan-art.co.uk](http://www.plan-art.co.uk) T: 0207 739 3007 [art@plan-art.co.uk](mailto:art@plan-art.co.uk)

Commissions East

*Regional visual arts development agency who will work in partnership to develop visual arts commissions for public spaces*

[www.commissionseast.org.uk](http://www.commissionseast.org.uk) T: 01353 669094 [info@commissionseast.org.uk](mailto:info@commissionseast.org.uk)

CBAT

*A Public Art commissioning agency promoting the integration of artists in urban development and regeneration projects*

[www.cbat.co.uk](http://www.cbat.co.uk) T: 0845 2413684 [info@cbat.co.uk](mailto:info@cbat.co.uk)

Modus Operandi

*A leading independent agency for art in the public realm, based in London and working internationally*

[www.modusoperandi-art.com](http://www.modusoperandi-art.com) T: 020 7490 0009 [info@modusoperandi-art.com](mailto:info@modusoperandi-art.com)

Jes Fernie

*Curator and writer specialising in the field of cross disciplinary practice between contemporary artists and architects*

[www.jesfernies.com](http://www.jesfernies.com) [jes@jesfernies.com](mailto:jes@jesfernies.com)

Rebecca Weaver

*Independent art consultant with over 25 years of working experience with contemporary artists and managing public art projects in East Anglia*

T: 0796 199 4768 [rebecca.weaver@talk21.com](mailto:rebecca.weaver@talk21.com)

Louise O'Reilly Visual Arts

*Provides expertise in all aspects of visual arts commissioning in the public realm*

[www.lorva.co.uk](http://www.lorva.co.uk) T: 07710 784 704 [louise@lorva.co.uk](mailto:louise@lorva.co.uk)

Artpoint

*A visual arts and crafts agency based in Oxford, providing consultancy project development services for the commissioning of new work public*

[www.artpointtrust.org.uk](http://www.artpointtrust.org.uk) T: 01865 248822 [info@artpointtrust.org.uk](mailto:info@artpointtrust.org.uk)

<sup>2</sup> The list of commissioning agents is not comprehensive, but represents ones of which the Council was aware in mid-2010 and is for guidance and information only.

International Art Consultants

*Offer the complete range of art consulting services from strategy and planning, to procurement and installation worldwide*

[www.internationalartconsultants.com](http://www.internationalartconsultants.com) T: 020 7481 1337