

Art in public places – advice and commissioning guidelines

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“Artists working in the public realm make an extraordinary contribution to our experience of public life. Artists are communicators, facilitators, problem solvers, inventors and researchers. They take creative risks, have a willingness to experiment and often redefine questions and problems without recourse to set solutions.”

Ixia - the think tank for public art practice

“The quality of the built environment in our towns and cities has a crucial impact on the way they function. Well-designed buildings, streets, neighbourhoods and districts are essential for successful social, economic and environmental regeneration.”

Towards an Urban Renaissance, Urban Task Force, 1999

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This document provides guidance to developers, hospital trusts, libraries, schools, and other investors who wish to involve artists in the designing of public spaces.

The aim of this document is to encourage the commissioning of high quality artworks made specifically for the public realm by artists, makers and designers. Public art can have a key role in delivering objectives such as environmental enhancement, community development, neighbourhood renewal, employment and tourism as well as make a considerable impact on quality of life.

What is public art?

Public art is about good design and quality environments. Attractive buildings, schools, hospitals, residential developments and public spaces can all benefit from an artist's involvement.

Employing an artist does not necessarily need to cost any more than buying products from catalogues or other suppliers and where it does these costs tend to be modest.

- Public art can be defined as the commissioning of new work from artists for public spaces.
- Although most public art is permanently sited (for instance sculpture, architectural glass), temporary installations such as film, video, light projections, sound installations, performance or photography are also valid forms of public art.
- Public art is intended to be freely and physically accessible to the public and can occupy spaces in the built, natural, urban or rural environment. Shopping centres, schools, libraries, residential developments, hospitals, river walkways, housing estates, parks and green spaces, roundabouts and seaside promenades are all examples of where public art might be found.
- Work commissioned might replace "off the shelf" products with original works in signage, seating, paving, fencing, gates, banners, flags, mosaics, carpets, ceramic tiling, flooring.

An artist's role within the design team can also be employed to advise on a particular colour scheme, paint finish, lighting design, or landscaping and planting scheme.

Whatever the nature of the work, public art should always be site-specific: that is be created specifically for the particular site or location and relate to the context of that site.

Recent developments

Attitudes towards art in the public realm have moved on in recent years. From the commissioning of large landmark sculptures in prominent squares and public places we are now moving towards a way of working that places artists right at the heart of the planning and design process. Projects now use artists' creative and practical skills to propose design solutions alongside other professionals, such as architects, landscape designers, engineers and planners. Nowadays a more open flexible climate operates whereby artists are bought in at the very beginning of the planning process. The process itself – that is team working, consultation, collaboration and working with local communities - is increasingly important in public art projects and the end product ie the artworks may only be a small part of the whole process.

There are many opportunities to involve artists in new capital building programmes, landscaping, coastal regeneration and other initiatives in East Sussex.

Our booklet ***Art in Public Places*** highlights a selection of the many successful art initiatives in public places across East Sussex. It illustrates some of the many forms art in this context can take; the variety of partners and funding bodies that can be involved; the different kinds of commissions and approaches that can bring it about and the sort of settings in which it can happen. For copies, please get in touch with your local authority – see [Local authority contacts](#) below.

You can find more case studies and catalogues of public art here:
publicartonline.org.uk/publications/casestudies.html

The benefits of public art

“Beautiful, quirky, a talking point or landmark – art in public places can make your environment more inspiring.”

“Perhaps an artist could illuminate a dark part of town with extraordinary lighting, create a peaceful spot to relax, or animate communities to think about better designs for anything from bus shelters to buildings.”

SEEDA

Public art can have cultural, economic, educational, environmental and social benefits for instance:

- enhance the built environment
- humanise public spaces and create meaningful places where people feel comfortable and relaxed
- stimulate discussion and debate
- help create a sense of identity and community and improve the quality of the environment and of people’s lives.
- increase the use of open spaces and reduce vandalism by encouraging a sense of pride and ownership.
- provide benefits in terms of tourism
- boost the local economy through creating local employment
- add to peoples’ appreciation of a particular place as well as aiding orientation.
- add an individual and distinct character to public and private sector developments
- help build our cultural heritage by introducing permanent public art features
- by involving local communities in the consultation process build up knowledge, trust and confidence in local environments
- enhance developers status and image locally and nationally.

The commissioning process

1. Set up a management group

Any prospective commissioner is advised to set up an advisory panel or Steering Group who will guide the project. A selection panel should also be set up, normally with the same membership as the Steering Group.

2. Employ a specialist advisor

In the first instance free advice and guidance is available from local authority arts and planning officers and Arts Council England, South East (see contacts list). However most commissioners, certainly if they are new to working with artists, are advised to employ a specialist public art consultant or agency to work with them both on the development of a commissioning plan and selection of artists.

Employing a specialist Arts Project Manager once the development stage has been completed is also recommended – an individual who is responsible for writing contracts, arranging site meetings, liaising between artists and the project team, overseeing the budget and liaising between all parties to ensure the commission runs smoothly, to budget and on schedule.

For contact details see our section [Key contacts and resources](#) below.

3. Develop the brief

It is essential to establish a brief for the artist(s) which clearly identifies the commissioning aims and objectives. The brief is drawn up by those commissioning the work, preferably in consultation with a public art specialist.

A brief should include:

- background information about the site and location - history, notable facts and figures, etc
- commission aims and objectives
- theme, if any, for the work
- materials specifications, if any
- description of artist's role
- details of project team members and their roles and responsibilities
- timetable
- budget including responsibilities for landscaping, lighting, installation, transport, insurance
- description of site conditions and any constraints such as services, accessibility
- whether planning permission is required.
- description of selection process and criteria for selection
- maintenance and durability requirements
- community and education involvement.

Maps, drawings and other contextual information should be included with the brief. It can also be useful to say how the project is funded.

Selecting an artist

“To achieve excellence in working with artists requires adequate research time, specialist skills and financial investment, so a clear framework is essential for the success for the project, and a vision for the scheme should be clearly articulated from the outset.”

‘Public Art in the South East’, Arts Council/SEEDA

Most successful schemes bring in artists at the earliest possible stage, ensuring that their contributions are integral to the concept and design of the overall scheme. Artists can be invited to work alongside architects, landscape designers, engineers, masterplanners and other professionals contributing their own creative and practical skills as part of a design team.

A number of artists nowadays define themselves as ‘public artists’ and their entire professional life is spent making work within the public realm.

There are all sorts of ways to involve artists in the public realm. It is essential to appoint an experienced artist to lead on large-scale complex projects. Be clear about the role of the artist: are they to be an active member of the design team, are they to be appointed as ‘lead artist’ or ‘consultant artist’, or are they to be commissioned for a one-off work for a specific site or are they to be appointed as artist-in-residence documenting a large scale redevelopment.

A mixture of being clear about the requirements of the brief, while at the same time being flexible enough to respond to any changes that might occur, is recommended as a route to achieving a successful project.

Some schemes provide mentoring and shadowing opportunities for early career artists and/or locally based artists. This is a way of bringing on the skills of less experienced artists in an increasingly competitive field.

There are several ways to select the right artist for the job. It is sensible to do some initial research into what sort of work has been commissioned by other organisations by looking at specialist publications and websites. Many artists have their own websites.

Selection methods and options

Artists are normally selected through one of three methods:

1. **Open competition** – by placing an advert in specialist publications and websites.

With this method the first stage is where artists, responding to an advertisement, are invited to send images, supporting material and a CV to the commissioner. Then following a panel selection a short list of artists are invited to a site meeting and to discuss the commission further.

Following the site meeting short listed artists will be asked to carry out research and consultation and come up with design proposals. A design fee should be offered to all of the short listed artists for them to carry out the research, consultation and design work.

Design proposals should include a written proposal, technical information, accurate costings and presentation of the design in a format such as drawings, sketches, computer images, scale model.

The advantage of this method is the wide choice of artists (up to 100 submissions is not unusual); the disadvantage is that it can be administratively heavy and costly.

2. **Limited competition** – through a long list compiled by a public art specialist or advisors. Artists are then invited to a site visit and develop proposals for the site.
3. **Direct invitation** – where an artist who is felt to have the appropriate skills and experience is invited to be part of the design team and propose work for a particular site, or act as ‘lead artist’ or ‘consultant artist’ to develop an overall vision for a scheme.

The principal publication where commissions are advertised is a-n magazine published monthly with a wide circulation among practicing artists. See *Checklist*.

Criminal Records Bureau (CRB)

If the artist is to work with children they will need to provide an ‘Enhanced Disclosure’ from the Criminal Records Bureau (CRB) crb.gov.uk .

Implementation

Budget checklist

Budgets are set for commissions in various different ways. It is most usual however for the commissioner to identify a total sum within which the artist must work. The budget should include

- Advertising and selection costs
- Artists fees – it is usual practice to identify a total sum within which an artist must work and for the artist to advise the client on what proportion is to be spent on materials, fabrication and so on and to calculate their fees on a percentage basis which can be between 10% - 30% of the total value of the commission depending on their experience.
- Materials
- Fabrication costs
- Insurance/public liability
- Installation, where applicable traffic management
- Site preparation e.g. services, landscaping, extra labour etc
- Transport
- Professional fees e.g. arts consultant, arts project manager
- Publicity, documentation
- Maintenance + decommissioning
- Education and community allowance e.g. workshops, talks, presentations
- Evaluation
- Last and certainly not least a contingency, anywhere between 10% - 20%.

Consultation

Some form of consultation with the public and current or potential users of the site will be necessary to gain both formal and informal feedback. This could take the form of public meetings, workshops, presentations or an exhibition of proposals. There are many different ways to go about the consultation depending on the type of commission and the site and location. Consultation should be considered as an investment in terms of making people feel involved and encouraging community participation and ownership.

Artists contracts

The checklist below gives all the aspects that should be considered when drawing up a contract. Specimen contracts for public art commissions do exist but as each commission is unique they can serve only as a guide. It is advisable for contracts to be checked by a lawyer. Further advice at: publicartonline.org.uk/practical/contracts/index.html

Checklist - an artist's contract should include:

- names and addresses of artist and commissioner
- scope of work
- copyright issues, reproduction rights, credits and moral rights
- role of artist
- role and responsibilities of commissioner e.g. site preparation, installation costs
- fees and payment schedules to include:
 - 1) design development stage and 2) fabrication stage of work
- insurance requirements including public liability
- defects and warranty terms
- timetable and key dates
- maintenance obligations
- ownership of work
- decommissioning policy including transfer of Ownership and removal of work
- arbitration.

Insurance

Most commissioners require artists to provide their own public liability insurance – the most usual amount is £5 million although more coverage can be requested for big budget commissions.

Insurers will need confirmation that those involved in the project who will be working closely with children have the required 'Enhanced disclosure' from the Criminal Records Bureau (CRB) crb.gov.uk.

Maintenance/Decommissioning Policy

A schedule for maintenance should be drawn up to ensure the work is regularly inspected and repaired if necessary. This responsibility normally resides with the owner of the work.

A decommissioning policy is also recommended in the event that the work deteriorates or becomes damaged beyond repair and a decision needs to be taken about its future. It is also useful to include an anticipated life expectancy.

Arts and planning context

Mechanisms for delivery

We recommend that planning applicants should consider the inclusion of public art at the pre-planning stage and contact the relevant planning authority for advice and guidance.

There are many different ways to deliver public art, for example through advocacy, percent for art policies and strategies, planning guidance and 'section 106 agreements'.

Percent for Art

The term Percent for Art refers to a widely used funding mechanism for public art projects. Percent for Art is a scheme operated by many local authorities whereby a proportion of the capital costs of a new development or refurbishment is set aside to commission artworks which will be integral to the site. The recommended percentage is usually 1% of the overall budget, but this can vary depending on local resources and policy and also on a project's size.

Section 106 agreements

Legislation exists through The Town and Country Planning Act of 1990, Section 106 – the so-called Section 106 agreement – that enables a planning obligation to be entered into by an agreement between a developer and local authority to ensure the provision of necessary infrastructure and community facilities directly relating to a proposed development. This can include the provision of public art.

Planning Policy Guidance

National Policy Guidance

Planning Policy Guidance Notes (PPG) set out the Government's national policies on different aspects of the planning process. They advise local planning authorities in the preparation of guidance plans. PPGs are being phased out and replaced by Planning Policy Statements (PPS). Documents relevant to public art are as follows:

Planning Policy Statement 1 (PPS1) communities.gov.uk/index.asp?id=1143803

Planning Policy Guidance 17 (PPG17) communities.gov.uk/index.asp?id=1144066

Local Development Frameworks (LDFs) and Supplementary Planning Documents (SPDs)

Local Plans, where mention of a local authority's public art/percent for art policy can be found, are being phased out and replaced by LDFs. For more information, see the County Council website: eastsussex.gov.uk/environment/planning/planningsystem/localpolicy.htm

SEEDA's Regional Economic Strategy 2006

South East Development Agency's (SEEDA) strategy includes references to design excellence in the public realm. Web: seeda.co.uk/RES/

Hastings Public Arts Strategy

Web: hastings.gov.uk/public_art/strategy.aspx

"Ensure a wider understanding and adoption of quality standards and best practice in construction and encourage developers from both the public and private sector to raise their design aspirations".

SEEDA's Regional Economic Strategy 2006, action 9.8

Key contacts and resources

Funding sources

This list provides an introduction to funding options; commissioners are advised to use this list as a starting point.

The Department for Culture, Media and Sport

Information on funding and how to apply for it.

Web: culture.gov.uk/what_we_do/Arts/funding_for_the_arts/

Arts Council England

Various schemes to support art in the public realm programmes:

1. Grants for the Arts

Tel: 0845 033 6200

Web: artscouncil.org.uk/funding/

2. Art Plus

Award scheme for Art in Public Places

Tel: 0845 300 6200

Email: pase@artscouncil.org.uk

Web: artscouncil.org.uk/artplusawards

A & B Arts & Business

The New Partners scheme develops sustainable, mutually beneficial partnerships between business and the arts. Applications could bring together an artist and architectural practice or artist and developer.

Tel: 01273 738333 (local office)

Web: aandb.org.uk/

Esmée Fairbairn Foundation

Web: esmeefairbairn.org.uk

Awards for All

Web: awardsforall.org.uk

The Big Lottery Fund

Web: biglotteryfund.org.uk

Commissioning agencies

There are a number of commissioning agencies some with a regional remit others with a national remit. Although most concentrate their work within a specific region they will on occasion work out of region. Some keep files, indexes and registers of artists and artist-groups, others research individually as projects emerge.

Artpoint

Agency for the South East region.

2 Littlegate Street
Oxford, OX1 1QT

Tel: 01865 248809

Email: info@artpoint-trust.org.uk

Web: artpoint-trust.org.uk

Public art consultants and project managers

A list of public art consultants is available from:

Public Art Online

Web: publicartonline.org.uk or

Arts Consultants.org

Web: arts-consultants.org.uk

Slide indexes and databases

Axis: all about artists

National database of over 4,000 contemporary UK based artists.

Tel: 0870 443 0701

Email: info@axisweb.org

Web: axisweb.org/

Crafts Council Photostore and Picture Library

Over 30,000 images of craft disciplines. Print-outs available.

Tel: 020 7806 2503.

Email: photostore@craftscouncil.org.uk

Web: craftscouncil.org.uk/photostore/

Advertising commissions

[a-n] Magazine for artists

The main publication for advertising public art opportunities.

Web: a-n.co.uk

You can also advertise through the Arts Council's 'Arts Jobs' and newsletters of commissioning agencies.

Specialist organisations

The Arts Council

Arts Council England, South East have a Public Art and Architecture Officer who can offer advice.

Tel: 0845 300 6200

Web: artscouncil.org.uk

Ixia – the national support agency for public art.

Ixia promotes excellence in public art through information, education and debate and aims to support critical discourse in order to promote the best opportunities for artists to contribute to the public realm.

Tel: 0121 622 4222

Email: info@ixia-info.com

Web: ixia-info.com

a-n The Artists Information Company

Publications, information sheets, commissions contracts, advice on current rates of pay for artists etc.

Tel: 0191 241 8000

Web: a-n.co.uk

Public Art online

National and international case studies, information sheets, examples of public art policies, advice on commissioning, current issues, consultant and agency listings.

Web: publicartonline.org.uk

Cabe (Commission for Architecture and the Built Environment)

CABE is the champion for architecture in England. CABE's role is to promote high standards in the design of buildings and the spaces between them. CABE offers advice to all those who create, manage and use the built environment.

Web: cabe.org.uk

Building for Life

Created by CABE, the Housebuilders Federation and the Civic Trust to advocate and support high quality design for housing schemes.

Web: buildingforlife.org

South East Development Agency (SEEDA)

For advice on SEEDA funding and support schemes contact the Urban Renaissance Manager for South East Excellence or the Area Director for Sussex and Surrey. Both posts are based at Guildford.

SEEDA
Cross Lanes
Guildford, GU1 1YA

Tel: 01483 484200
Web: seeda.co.uk

National Network for Arts in Health

Their website includes information on arts and health projects and funding.
Web: nna.org.uk

Art & Architecture Journal

Web: artandarchitecture.co.uk

The Department for Culture, Media and Sport

Links on arts funding, art education, art and social policy.
Web: culture.gov.uk

Local authority contacts

East Sussex County Council

Hilary Lane, Cultural Strategy Manager
Tel: 01273 481871
Email: arts@eastsussex.gov.uk

Hastings Borough Council

Penny Precious, Arts Development Manager
Tel: 01424 781154
Email: pprecious@hastings.gov.uk

Michael Hambridge, Public Art Development Officer delete 'or'
Tel: 01424 451790
Email: mhambridge@hastings.gov.uk

Hastings Public Arts Strategy

Web: hastings.gov.uk/public_art/strategy.aspx

Rother District Council

Melanie Powell, Arts Development Officer
Tel: 01424 787506
Email: Melanie.powell@rother.gov.uk
