

---

**REPORT FOR: CABINET**

---

<b>Date of Meeting:</b>	16 November 2017
<b>Subject:</b>	Public Art Policy
<b>Key Decision:</b>	Yes
<b>Responsible Officer:</b>	Simon Baxter, Divisional Director of Environment and Culture
<b>Portfolio Holder:</b>	Councillor Sue Anderson, Portfolio Holder Community, Culture and Resident Engagement
<b>Exempt:</b>	No
<b>Decision subject to Call-in:</b>	Yes
<b>Wards affected:</b>	All
<b>Enclosures:</b>	Appendix 1: Public Art Policy Statement Appendix 2: Public Art Procedure Appendix 3: Public Art Application Form Appendix 4: Equalities Impact Assessment

## **Section 1 – Summary and Recommendations**

This report sets out a recommended Policy for Public Art installations in Harrow, together with a Public Art Application process for new proposals received by the Council.

**Recommendations:**

Cabinet is requested to:

- i) Approve the Public Art Policy and Application Process for adoption with immediate effect.
- ii) Delegate Authority to the Divisional Director, Environment and Culture, in consultation with the Portfolio Holder, Community, Culture and Resident Engagement, to make amendments to the Public Art Policy and Application Process.

**Reason: (For recommendations)**

To ensure that:

- High quality public art is enabled in the London Borough of Harrow.
- Any proposed art installations are considered in the interests of the wider community, including recognising the Council's Equalities Policy.
- All proposals are evaluated in relation to their social, economic and environmental impacts.
- Any proposed art installations will meet the required standards for installation and maintenance.
- This report will contribute to a wider overarching Cultural Strategy that will provide access to arts and culture to everyone in the borough.

## **Section 2 – Report**

### **1. Introduction**

The Council wishes to encourage and enable high quality public art in Harrow, in keeping with the Council's Strategic Objective to 'Build a Better Harrow'. The Public Art Policy sets out the key principles with which Harrow Council will approach the authorisation and management of new Public Art installations in Harrow. The key principles of the policy can be summarised as follows:

- Consistency of approach to proposed public art installations.
- Effective management of Public Art installations.
- Clear understanding and clarity of roles and responsibilities of all those involved.
- Improve the arts infrastructure in the Borough.

## 2. Background

2.1 Art in public places or incorporated into development schemes can be beneficial to the local community, by creating a sense of place and cultural identity, and helping to aid social and economic regeneration of areas.

2.2 Public Art can enhance a local area through the quality of design or artistry and become a focal point in its own right through its visual impact. Examples in Harrow include 'Skipping Girl (Katy's Statue)' in St. Ann's Road, 'the story of St. George and the Dragon plaques' (St. George's Centre, Harrow Town Centre), and 'Hygeia' at 66-68 College Road. Public Art can also positively contribute to the look and feel of places, brightening an urban environment, enhance a new development or highlight a historic setting. Examples in Harrow include 'The Leaf' at the Grove Field (Lowlands Road), the Sainsbury Pots (Stanmore) or the Belmont Trail subway and Pinner Road Underpass murals. Harrow has many historic associations and public art can celebrate these connections. Examples include the Whitefriars glass screen and the Kodak tile mural at Harrow Civic Centre, and the replica Spitfire and Hurricane (Bentley Priory). Public Art can also have a close historical association to people or events. An example is the memorial plaque for the Harrow and Wealdstone Rail Disaster (1952) at Harrow and Wealdstone Station.

2.3 Public Art is referenced in Harrow's Section 106 Supplementary Planning Document which has been prepared as a 'Supplementary Planning Document' (SPD) to support Policy DM50: 'Planning Obligations of Harrow's Local Plan':

*'London Plan Policy 7.5 and Policies AAP1 and AAP7 seek the provision of a high quality public realm within and adjoining development sites. The provision of such spaces includes the incorporation of public art, especially in areas of high footfall or public interest where people like to gather, to provide a point of interest and to engage users of the space.'*

2.4 Other Council Departments including Regeneration and Planning were invited to contribute to the development of the draft Public Art Policy. Public consultation on the draft Public Art Policy and Application Process was undertaken from 7<sup>th</sup> August 2017 to 16<sup>th</sup> September 2017. The consultation was promoted at all Harrow libraries, Harrow Arts Centre, and Headstone Manor and Museum. A questionnaire was available electronically online via the Harrow Council website with hard copies of the questionnaire available in all libraries. Cultural organisations including Harrow Arts Society and Harrow Heritage Trust were notified of the consultation, and the consultation was also promoted on social media. There were three responses to the consultation. One strongly agreed with the draft Public Art Policy and agreed with the draft Public Art Policy application process. The other response agreed with the draft Policy, and neither agreed or disagreed with the draft application process. Three comments regarding the draft Policy were received – one stressed the need for engagement with young people through schools, and the other

stated that the Policy should make it clear that a Public Art proposal that promotes a particular commercial enterprise or business would not be accepted. Harrow Heritage Trust also made a number of comments on the Draft Public Art Policy. Some changes to the wording of the Policy have been made to incorporate the feedback received.

### **3. Options considered**

3.1 The following options are offered for Cabinet consideration:

#### **Option A: To not adopt a Public Art Policy**

This option would mean that there would not be a clear criteria and procedure in place to ensure a consistent approval process for applications to install public art.

This option is not recommended.

#### **Option B: To adopt a Public Art Policy**

This option would result in a clear criteria and procedure which would ensure a consistent approval process for applications to install public art. The Policy will help to enable high quality public art in Harrow including encourage the use of the arts in new developments, and ensure all proposals are evaluated in relation to their social, economic, and environmental impacts.

This option is recommended.

### **4. Environmental Implications**

The proposals in this report will have a positive environmental impact by enabling a more stimulating environment which will enhance the visual impact of the area.

This Policy will support the Council's Strategy to 'Build a Better Harrow' by helping to create places and opportunities for residents.

### **5. Risk Management Implications**

Risk included on Directorate risk register? No

Separate risk register in place? Yes

Key risks and mitigation are as follows:

- i.) There is a risk that some applicants may not agree with the outcome of their application.

#### *Mitigation*

The new Policy and application policy will demonstrate that a transparent process has been completed to assess all applications. There will also be an appeals process as part of the application process.

- ii.) There is a risk that the Policy will become no longer fit for purpose if there are significant changes that impact on the Policy. This could include changes to legislation or regulation.

### *Mitigation*

The Public Art Policy will be reviewed annually, and will be updated between these annual reviews if required.

## **6. Legal Implications**

6.1 A Public Art Commissioning Agreement will set out the legal requirements between the Council and the installer of a piece of Public Art, including ongoing repair and maintenance liabilities as appropriate. The Agreement will stipulate the need for obligations to be performed in accordance with all applicable Health and Safety Law and Policy, and the need to maintain appropriate insurances including Public Liability Insurance.

6.2 The Policy supports the aims of Harrow's Section 106 Supplementary Planning Document, which has been prepared as a 'Supplementary Planning Document (SPD) to support Policy DM50 'Planning Obligations of Harrow's Local Plan'. This is in accordance with the 'Town and Country Planning Act 1990 (Section 106).

6.3 Planning permission and appropriate consents, permissions and licences will need to be applied for as appropriate depending on where the public art will be situated, and the form and scale of any structures e.g. on highways land or public open spaces, and temporary stopping up orders may need to be applied for.

## **7. Financial Implications**

7.1 The applicant will be responsible for the cost of installations and any on-going maintenance of the public art, therefore there is no financial implication to the Council.

7.2 In the event that the cost of the art installation is met from S106 funding or Community Infrastructure Levy (CIL), it is the expectation that the funding provision will include a notional sum to cover any on-going maintenance cost. The Council will place the art work in its list of assets and ensure that it is included within the Council's overall corporate insurance policy.

## **8. Equalities implications / Public Sector Equality Duty**

8.1 An Equalities Impact Assessment (EqIA) has been conducted (Appendix 4) and no negative impacts have been identified for any of the protected

characteristics. The nature of the Public Art Policy is to engage all aspects of the community and provide opportunities for everyone to shape the appearance of public spaces in the borough.

## 9. Council Priorities

This proposal supports the following Council corporate priorities:

- Making a difference for Communities – by improving the local environment by improving the visual impact, and helping to create pride and a sense of belonging to local people.

The proposal also supports the Harrow Ambition Plan by supporting the strategic theme to 'Build a Better Harrow' by helping to create places and opportunities for residents.

## Section 3 - Statutory Officer Clearance

Name: Jessie Man	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 30 October 2017		
Name: Stephen Dorrian	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 5 October 2017		

<b>Ward Councillors notified:</b>	<b>No, as it impacts on all Wards</b>
<b>EqIA carried out:</b>	<b>YES</b>
<b>EqIA cleared by:</b>	DETG Chair, Community Directorate - Dave Corby

## **Section 4 - Contact Details and Background Papers**

**Contact:** Tim Bryan, Service Manager – Libraries, Sport and Leisure. Tel. 020 8416 8639, Email: [tim.bryan@harrow.gov.uk](mailto:tim.bryan@harrow.gov.uk)

**Background Papers:** None.

**Call-In Waived by the  
Chair of Overview and  
Scrutiny Committee**

**NOT APPLICABLE**

*[Call-in applies]*