

Environment & Culture Policy Statement

Public Art

Objectives

- To outline Harrow’s approach to public art installations.

Background

Good quality, attractive buildings and public spaces play a key role in urban and rural development. Throughout the years, towns and public spaces have been enhanced by the use of decorative arts, crafts and design, from historic monuments and sculptures to innovative designs of signs, gateways, paving, water features and the interpretation of locations.

The aim in providing Public Art is to improve the quality of the existing environment (including town centres and open spaces and parks) and the quality of new developments to produce an environment which is more stimulating and which will enhance the visual impact of the area. The economic and social value of Public Art is unlimited. It creates opportunities for artists and provides creative communities through participatory Public Art programmes. This in turn, stimulates pride, ownership and a sense of belonging to local people. Harrow Council supports the promotion of public art as good planning practice bringing social, cultural, environmental, educational and economic benefits to new developments and to the community.

Working with artists offers opportunities to design schemes and create places that reflect the life and aspirations of an area and its people. Works of art can give quality, character and a human dimension to new developments. They can make a positive contribution to the character of the place, especially if they draw inspiration from local themes or associations, creating a positive image for an area. The effects of both temporary and permanent Public Art not only creates a long lasting social and cultural legacy but has an impact which can be seen in the growth of creative industries and tourism, enhancing perceptions of the area and providing opportunities for a positive economic effect.

This policy has been developed to support Harrow’s Cultural Strategy. It also supports the aims of Harrow’s Section 106 Supplementary Planning Document which itself 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 both within and adjoining development sites. The provision of such space 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.” (Harrow S106 SPD)

Definitions

Installation Owner	The party (the individual or group) initiating the installation.
--------------------	--

Public Art	<p>The term public art refers to works of art in any media that have been planned and executed with the specific intention of being sited or staged in the physical public domain, usually outside and accessible to the whole community. Public art will be site specific and visible and will relate to the context of a particular site or location.</p> <p>For the purpose of this policy, our definition of public art also incorporates Community Art Initiatives. Community art refers to artistic activity produced by all ages based in a community setting, producing a range of social, cultural and environmental outcomes. Community art involves a wide range of media and is characterised by interaction and dialogue with the community. An example of Community Art would be a mural created by a community group.</p>
<p>Section 106 (S106) Agreements</p> <p>The Community Infrastructure Levy (CIL)</p>	<p>Legal agreements between Local Authorities and developers; these are linked to planning permissions and can also be known as planning obligations. Section 106 agreements are drafted when it is considered that a development will have significant impacts on the local area that cannot be moderated by means of conditions attached to a planning decision.</p> <p>The Community Infrastructure Levy (CIL) is a tool for local authorities to help deliver infrastructure to support the development of an area.</p>

Responsibilities

Those responsible for the implementation of this policy:

Divisional Director Environment & Culture

References

This policy should be read in conjunction with:

- [Harrow's Section 106 Supplementary Planning Document](#)
- Policy DM50: *Planning Obligations* of Harrow's Local Plan
- The London Borough of Harrow's Cultural Strategy (currently in development)

Regulatory/Legal Framework

[The London Plan](#)

Town and Country Planning Act 1990 (Section 106)

Policy Framework

Harrow Council:

- Is committed to enabling high quality public art in the London Borough of Harrow
- Will provide strong leadership in the broader context of arts, culture and creative industries
- Will develop a Cultural Strategy in consultation with members of the community which supports this policy

- Improve the arts infrastructure in the Borough by taking opportunities to develop new venues such as the new facility, The Arc House in Lowlands Road, and by developing cultural programming.
- Actively encourage the use of the arts in new developments.
- Ensure all major development that has a significant impact on its physical environment and setting will make provision for Public Art
- Consider any proposed art installations in the interests of the wider community
- Engage local people in the development of public art including young people.
- Ensure all proposals are evaluated in relation to their social, economic and environmental impacts.

Practical Implications

- All public art proposals must reflect the life and aspirations of Harrow and the people who live in the Borough. Any decisions on applications for public art will be balanced against the interests of the wider community and must serve all sections of the community.
- Art installations that are encouraged can include (but are not limited to) historical/cultural figures or events that have a connection to Harrow.
- Harrow reserves the right to refuse any art proposals which upon evaluation, are considered inappropriate, divisive or not reflective of the wider community. This would include art installation proposals that promote a particular commercial enterprise or business.
- The installation owner (this will not normally apply when the cost of the art installation is met from a S106 Agreement or Community Infrastructure Levy (CIL)) will be responsible for providing indemnity insurance in relation to the installation in respect of any damage or injury to third parties. The installation owner will also need to specify who is responsible for the inspection, cleaning and maintenance of the installation and how regularly they plan to carry these works out.
- The costs relating to the installation and maintenance of an Art Installation will remain the responsibility of the party (individual or group) who has initiated the project. The installation owner will need to satisfy The Council's criteria for inspection, cleaning and maintenance, and provide a plan as to how this will be managed.
- The council reserve the right to remove the installation at any time. Removal of an installation is only likely to occur under the following scenarios:
 - The area in which the installation is situated is under redevelopment.
 - Should the installation not be adequately maintained
 - If any payments for cleaning and maintenance are not forthcoming
 - Adequate indemnity insurance is not provided
 - The installation provides any Health & Safety concerns
- It is the responsibility of the installation owner to appoint a structural engineer for design and sign off. The Structural Engineer will take into account all aspects of installing any art installation. Once the Structural Engineer's report is received it will then be reviewed by The Council.

- Structural Engineers would normally specify concrete/ steel specifications in compliance with the relevant British Standards. It must be borne in mind that the art piece may not be a solid item e.g. inflatables. In which case the stability and fixings of the installation should be thoroughly checked by the appointed Structural Engineer.
- The provision of public art and artistic features should form an integral element to any development with a significant impact on its physical environment and setting.
- There will be an expectation for developers to provide or make a contribution towards public art under the Community Infrastructure Levy (CIL) or via the Section 106 Agreement.
- Qualifying development schemes will normally be expected to provide public and artist designed elements up to a maximum of £50,000 (the amount will be subject to annual review). A proportion of that art is expected to be free standing from the development or an independently commissioned art work, supporting the Cultural Strategy and local artists. The overall public art provision will be subject to consideration in light of other planning obligations sought, including the creation of new or improved public realm, and the design and architectural merits of the development proposed.
- As appropriate, the funding of art can be by means of a sum set aside to be spent by the developer or a financial contribution to the Council. A transparent process of commissioning public art work, involving professional art organisations and/or stakeholder community engagement will be expected.
- In the event that the cost of the art installation is met from a S106 Agreement 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.

Review

This policy and procedure will be reviewed one year after implementation unless:

- There are significant changes to legislation or regulation
- Deficiencies or omissions are identified
- The policy is deemed to be no longer effective or in line with business values

Author:	Scott Causer Local Environment & Special Projects Manager
Version:	1.0
Date:	Initial Draft: 26 th May 2017 Updated: 14 th July 2017
Sign off date:	
Signed off by:	
Date effective from:	
Policy owned by:	

Next review date:	
Review date:	
Reviewed by:	
Log changes:	

DRAFT