

## **PUBLIC ART**

### **Carmarthenshire County Council Guidelines**

#### **THE NEED FOR PUBLIC ART GUIDELINES**

**1** The Carmarthenshire County Council seeks to encourage the use of public art in Carmarthenshire as central to the Council's Community Plan theme of a 'Better Place'.

As at 2008 there was credible anecdotal evidence from local fora and other agencies of considerable interest in commissioning public art. This is in line with national trends.

Development needs to work within an accepted framework to avoid problems arising and to make full advantage of opportunities and to encourage enthusiasm.

There can always be the risk of competition for funding and sites.

And a badly managed project or one that is incorrectly sited could be detrimental to other public art projects.

In recommending guidelines for public art development we are conscious that a proscriptive policy for use by the Council or its partners could impede developing projects.

We therefore want to use a 'light touch' but expect the following guidelines to be followed for council led public art projects or where council funding is being used for public art.

These guidelines lie in the ownership the Regeneration and Leisure Division of Carmarthenshire County Council.

#### **2 GENERAL**

- Projects must be appropriate for their purpose.
- Must be based on a sound brief derived from effective consultation.
- Consideration must be taken on installation and maintenance demands.
- Practitioners in arts and crafts should be involved at all stages

#### **By Public Art we mean.**

- Art or Craft of quality and in context that have a particular local, regional or national significance.
- That has a lifespan of (usually) above 15 years. But please note that more transient works installed in public spaces will still require the same considered approach.

- And have a wide public access.

### **Public Art may be:**

- A free – standing piece of art or craft.
- A bespoke art, design or craftwork integrated into a public building.
- Contain a functional element, such as gates or railings.
- Be a built element, such as lighting, or decorations.
- Be a piece of land art work making an intervention on the 'landscape'

### **Addressing one, or a combination of, four main purposes.**

- Social. Contributing directly in its processes to community development and well being
- Explore a special significance in public areas, commemorating or celebrating in striking ways, a shared experience.
- Act as Gateways signifying transition and branding.
- Be a landmark feature.

## **3 EXTERNAL ADVICE**

We strongly recommend that, wherever possible, a public art project of a significant scale and complexity be managed by a competent and experienced agency.

The following organisations have a presence in Carmarthenshire or Wales and can provide advice and management for appropriate projects. We would recommend their inclusion in the planning process from the start.

Arts Council of Wales are able to offer advice on commissioning work, available grants and % for art policies.

Public Art Wales is the nationally funded public art agency that, for a fee, will ensure projects are well managed in all aspects from consultation, through procurement to installation. Public Art Wales manages a database of experienced practitioners and are experienced in managing large projects.

Arts Care, based in Carmarthenshire, is a nationally funded arts and inclusion agency providing services in South and West Wales. Arts Care manages a database of artists trained to work with the vulnerable and have considerable experience of socially led public art projects. Arts Care is experienced in managing both small projects and projects that deal specifically with arts and well-being.

## **4 CONSULTATION**

Consultation is absolutely essential for success in commissioning a work. Works will not be welcomed without an appropriate consultation.

It is important that consultation is led by experienced and imaginative methods if cliché is to be avoided.

The above named agencies are experienced in artist led consultation and the County Council's Community Development Consultation teams along with their colleagues in local mentor organisations are experienced in more general community consultation techniques.

## **5 COMMISSIONING**

Successful public art will resonate both with the public and the site. It will fulfil a need and be successful for its purpose.

Working with artists and crafts people provides the opportunity for something unique.

The Council will follow and will expect its partners to follow good practice.

## **6 INFORMING THE COUNTY COUNCIL**

The County Council administers a public art forum where ideas and knowledge of projects is shared.

Please contact the County's Arts Department through

[leisure@cardiffshire.gov.uk](mailto:leisure@cardiffshire.gov.uk) or by letter to the Arts Department, Regeneration and Leisure, Cardiffshire County Council, Block 2, Parc Myrddin, Richmond Terrace, Cardiff SA31 1DS to let us know what you are planning and for the information to be circulated.

## **7 PREPARATION**

1. Identify the aims of the commission.
2. Seek preliminary advice from a competent organisation.
3. Identify the budget and source of funding, its ownership and any permissions required.
4. Confirm the budget and ensure funding for post installation maintenance costs are in place.
5. Establish the role of the artists – determine if they are part of the design team, or in a residency situation, working off site.
6. Be clear about the site, what restrictions may be placed upon it and what planning may be required.
7. Check with the County's Art Department that the scheme will not competing with any other similar proposals.
8. Establish a steering group with requisite skills and interests, along with stake holding interests.
9. Engage an experienced agency if appropriate.
10. Consult widely and consider the site, permissions and restrictions.

11. Consultation will need to include local civic leadership such as the county councillor in whose ward the public art is proposed.
12. Consider scale, materials, site requirements such as groundwork, lighting etc.
13. Identify the selection process – it is important that those involved from the outset are able to finally agree the design.
14. Establish who has final ownership (and liability) once the work has been installed.
15. Develop the brief.

## **8 PROCUREMENT**

Unless members of the steering group are experienced in commissioning public art the Council recommends that procurement be managed by an experienced agency but in a manner appropriate to the scale of the project. (See above).

There are three main procurement routes.

1. An open competition inviting submissions in response to the brief.
2. A limited competition inviting from a list of competent practitioners to respond to a brief.
3. A direct invitation to an artist.

To access public funding it would be usual to use a competitive framework as in route 1 or 2.

Scoring would need to be criteria based addressing at least:

- Suitability of the proposals
- Competency of the artists and makers in relation to the project brief and proposal.
- The creative interpretation of the brief.
- The cost

Should a shortlist be required then the final selection will require more detailed designs and an interview. It is usual to provide a fee for detailed designing.

It would be usual that copyright exists with the artist at this stage.

Copyright and joint authorship will need to be separately negotiated for the final design.

## 9 CONTRACTING

Public art commissioning involves the purchase of both physical and intellectual property.

For significant commissions we would advise the use of agencies is ensuring a strong commissioning contract is used.

We recognise in some circumstances this is not practical and recommend that the following checklist be used to ensure that a suitable commissioning contract is tailored to the project.

The typical checklist should include:

1. The timetable.
2. Definitions of all parties involved, their names and addresses.
3. Details of the commission.
4. Artists Brief.
5. Design stages and milestones.
6. Responsibilities of commissioners
  - Agents
  - Design team
  - (E.g. who is responsible for planning, site clearance)
7. Delivery and installation.
8. Adherence to CDM Regulations
9. Warranties.
10. A defined defect period. (We recommend 12 months for most defect periods).
11. Final Ownership
12. Insurance (County Council led projects should note that current Carmarthenshire County Council public art pieces are not insurable by the existing property policies)
13. Maintenance
14. Risk Assessments, including any structural assessments and identifying responsibilities for ongoing risk assessments and checking the site.
15. The right to edit.
16. Copyright and reproduction rights.
17. Relocation at any future date.
18. Termination of Agreement.
19. Disputes Procedure.
20. Role of retained consultants.
21. Schedule of work.
22. Fees.
23. Confirmation of budget and budget holders.

In summary we would expect to see in commissioning public art:

- Consultation

- Purpose
- Budgets
- Location
- Role of Artist
- Effective Procurement
- Thought for other projects
- And further consultation

## **10 PUBLIC ART SITES**

The Council has identified Key Gateway Sites as follows (October 2007):

- Loughor Bridge county Gateway
- Ammanford A483 Gateway
- Burry Port East A484 roundabout
- Other work is commissioned for a small roundabout in Carmarthen and there is potential at the Millennium Coastal Park gateway site at North Dock, Llanelli

The list of identified strategic sites will be periodically updated.

We would like two sculpture trails established.

- On the Millennium Coastal Park promenade.
- Within a rural setting such as the Tywi valley incorporating the existing works on Llandovery (Llywelyn ap Gruffydd Fychan) and Carmarthen (Oak Tree) National Botanical Gardens, (The Water Sculptures) and building upon these with works at Aberglasney.

These remain long-term goals until issues of curating and funding are resolved

Additionally as contributing to the Councils 'A Better Place' Community Planning we would need to encourage celebratory work in market towns and other secondary settlements. In this we would take our lead from Town and Community Councils and provide support.

Transient work, created primarily through activity within the Feeling Fine, Opening Doors or Community Planning will need to be exhibited from time to time if it has not been created for a specific site.

It is a legitimate aspiration to consider the Millennium Coastal Park a location for temporary sculpture exhibitions.