

SUPPLEMENTARY PLANNING GUIDANCE

NOTE NO.16

THE PROVISION OF PUBLIC ART

Approved by the Planning and Environment Committee on 8th January 1998 following Public Consultation

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Illustration 1 - 'Roll Down', Springvale, Bilston.
Substantial sculptures provide a focus for large scale new development.

Introduction

General

This Supplementary Planning Guidance Note provides further advice and explanation on the Council's policies regarding the provision of Public Art as set out in the Wolverhampton Unitary Development Plan (UDP), adopted in 1993. It is intended to explain to developers, their professional advisers, and local people how to achieve the principles contained in the UDP policies and the approach adopted by the Council in dealing with the special issues involved. The aim is to encourage high standards of Public Art in development and environmental quality in Wolverhampton.

The key policy in the UDP is ENV22,
"Provision of Public Art": "THE
COUNCIL WILL ENCOURAGE
DEVELOPERS TO PROVIDE FOR
PUBLIC ART IN MAJOR
DEVELOPMENTS"

Railings to The Swan
Public House Car Park,
Compton.
Consistent high quality
detailing reinforce
a sense of place



Aims of Supplementary Planning Guidance Note 16: The Provision of Public Art (SPG 16)

The aims of SPG 16 are to:-

- Explain how the principles and objectives contained in UDP Policy ENV22 'Provision of Public Art' can be achieved.
- Explain the vision of Percent for Art and aspirations for public art within the Borough.
- Promote and encourage the adoption and incorporation of public art into development proposals.
- Set out the criteria against which any development can be assessed as to whether it shall be considered for the provision of public art.

 Provide guidance as to best practice in relation to the processes and products which may satisfy the provision of public art and Percent for Art in the construction process.



Illustration 3 -Railing detail to commercial units, Swan Bank, Compton.

 Establish a framework for the review of the process and its products including the monitoring of long term revenue and maintenance implications.



Illustration 4 - Railings, Manor Road, Penn,
Craftsman designed and constructed units providing a unique identity
for new housing development

Background

What is Public Art?

Public Art is work of fine artists or craft persons which is physically and visually "accessible" to the public. It is emphasised that it includes the work of craft persons such as blacksmiths as well as fine artists. Indeed, for the purposes of this guidance note: ART SHALL INCLUDE CRAFTS AND ARTIST(S) SHALL INCLUDE CRAFT PERSON(S).

Works of public art may be freestanding such as a piece of sculpture in a courtyard, incorporated within a building such as stained glass, or part of the surroundings such as land art in the ground modelling to a site. Normally they are permanent features, but there may be opportunities for temporary works (see section 3, page 11).



Ulustration 5

– Job Centre, Bilston.
Commissions can reflect
past history and current
activities.

Illustration 6 - Metabrasives, Ettingshall. Sensitive Colour Schemes can bring out the character of industrial buildings



The different methods by which public art is produced are equally varied.

Artists now work not only as individuals but in partnerships and groups, in collaboration with other design professionals such as architects and engineers, and with the local community.

The Relationship between "Public Art" & "Percent for Art"

For the purposes of SPG16 "The Provision of Public Art" is discussed in relation to development. Public Art can be used to describe work created outside of galleries and therefore in the public domain. Perhaps better described as "art in public", artists in the late 1960's became disillusioned with the private gallery system and began creating work that was freely visible. Although sharing its accessibility with the public art described within SPG16, its origin is entirely within the creativity of an individual artist.

Public Art in the current context derives from the Arts Council's "Percent for Art" policy which was launched in 1988. "Percent for Art" seeks the allocation of a percentage of development costs of a project towards the creation of works of art, which again includes works of craft. It may be adopted by individual companies, local authorities, non-government organisation, trusts and charities.

The Arts Council of England (ACE) makes bids for increased funds from existing national budgets as well as for specific projects. Increasingly it has recognised that the concept of integrating artists with other professionals in the development design team needs wider promotion and acceptance.

Illustration 7 - Fencing Panels, Amos Lane, Wednesfield celebrate the former use of the site as a school

















Adoption in itself may not lead to public art. For example, part of one College's building programme in Oxford was the recording of the construction of new halls of residence through drawings, etchings and engravings. However, the Arts Council has primarily concentrated on "Percent for Art" as part of the Local Authority Town Planning process which automatically must result in art accessible to the public. For the purposes of this SPG, "Percent for Art" shall be confined to such a role.

National Bodies Promoting Public Art Practice The Arts Council & Regional

Arts Boards:

The Arts Council's "Percent for Art" campaign is supported by the Crafts Council, Welsh Arts Council, Scottish Arts Council, Arts Council of Northern Ireland and the Regional Arts Boards.

The Regional Arts Board for the Borough is West Midlands Arts. They have produced a 'Public Art Policy and Strategy' by which they define their role as four activities

- Advocacy for the best public art in the region
- Promotion of intellectual access through critical understanding
- Development of quality in creative practice
- Encouragement of investment.

The Public Art Forum:

The Public Art Forum (PAF) is the national association for Public Art and is supported by the Arts Council for England. It is a forum for debate on a national and international level. It recognises the importance of a collaborative approach to achieving good practice which is reflected in its membership drawn from artists, architects, planners, landscape architects, arts administrators and

others. The PAF has produced guidelines for commissioning new works of art for applicants for money from the Lottery.

The Public Art Agencies

A number of organisation with charitable status exist around the country to promote Public Art and act as an agent for clients who wish to commission work. Also, there are individuals and companies who act in a similar manner. All charge fees for their work.

The Royal Society of Arts "Art for Architecture" Scheme:

The scheme exists to promote a visually stimulating urban environment through the collaboration of artists with other design professionals at the very beginning of a project. The guidelines may be summarised as:

Projects may be permanent or temporary.

- Artists must be appointed at the concept, planning or early design stage.
- Detailed design work must not have commenced prior to submission of an application.
- The project must be accessible to the general public.
- Other funds must be sought to contribute towards the artist's fees in addition to the award if made.

The Policy Framework The Relationship Between Public Art, Environmental Quality & Sustainability:

In Town Planning terms public art is viewed as an important contributor to the amenity of an area and environmental quality. In smaller developments it can enhance the area's existing character while in larger projects, particularly on urban regeneration schemes, it can create

a new sense of place.

Equally, at a time of rapid change, it can integrate new development into the community by recording and celebrating the past.

In addition to its own site, each series of pieces will contribute as well to the wider cultural environment and encourage civic pride.



Illustration 8 - Anville Court Nursing Home, Goldthorn Hill, Penn.

Public Art transforms the experience of buildings by those who occupy them as well.

[Photo - reproduced with the permission of Anville Court Nursing Home].



Illustration 9 - Arena Theatre, Wulfruna Street, Wolverhampton City Centre. High quality modern design can successfully integrate new development into conservation areas. The new signage is used as a logo to promote this distinctive studio theatre.

The wider cultural environment is a key aspect of urban life not usually present in rural areas. Cities and civilisation are inextricably linked and the move to make our towns and cities more sustainable is intrinsically a move to their cultural support. Public art further reflects this in a very practical sense in that it expands the use of land beyond that of a single purpose and it is part of that pattern that recognises the role of secondary elements similar to landscaping and nature conservation in integrating development with its surroundings.

National & Regional Policy on the Environment & Land Use:

In 1990, the Government published its first comprehensive strategy for the environment "This Common Inheritance". It identified that new developments and buildings can improve the quality of life and the role that the works of art and craft can have in relation to them. Also, it suggested these improvements should be achieved at a local level through partnerships of individuals, companies and local authorities. Following "This Common Inheritance", the "UK Strategy for Sustainable Development" was published in 1994 and revised and updated in 1999 as 'A better quality of life - a strategy for sustainable development for the U.K'.

Sustainable development within urban areas is closely bound up with the quality

of urban life. That quality should encourage people to want to live and work there and enjoy the culture and entertainment that mostly cities can sustain. Sustainable urban areas will require careful design in order to avoid the loss of environmental quality. The strategy emphasises the importance of good urban design in town and city centres and that works of art are able to provide a sense of identity and civic pride.

The Government's planning policies are set out in Planning Policy Guidance notes (PPGs) for different aspects of planning. Local Planning Authorities must take these into account when preparing their Development Plans and they may affect decisions on individual planning applications and appeals. PPG1, "General Policy and Principles", seeks development and growth to be sustainable and to contribute to enhancing or maintaining environmental quality. For example, applicants for planning permission should demonstrate that they have considered the wider setting of buildings, and the treatment of spaces between and around buildings is identified as being of great importance. The aim, according to Government, is for any development to result in a "benefit" in environmental and landscape terms. In addition, it sees good design as an aim for all those involved in the development process and that it should be a focus for advice from local authorities.



National advice is brought to a regional scale with the publication, in 1998, of Regional Planning Guidance for the West Midlands (RPG11). RPG11 provides a framework for Development maintain and enhance the quality and distinction of the Region's built environment whilst regenerating older urban areas to make them places where people wish to live, work and invest and to ensure a high quality of life.



Plans in the region, including the Wolverhampton Unitary Development Plan, up to 2011. It affirms that Development Plans should promote a high quality of design in town and country and that it should cover layout as well as the design of buildings. It emphasises the need to

Local Policy on the Provision of Public Art:

Local policy on public art falls into 3 categories:

- · Council's "Percent for Art" Policy.
- Policy ENV22 in the Unitary Development Plan for Wolverhampton.
- · The "Arts and Cultural Strategy".

The Council agreed to join the Arts Council's scheme for "Percent for Art" on 28 November 1989. It identified three key areas of influence:

- a) The Authority's own capital programme (for example, the Black Country Route and Wednesfield Way).
- b) As a condition applied to the sale of the Authority's land and buildings for development /redevelopment.

Illustration 10 - Student Halls of Residence, Five Ways, Dunstall.

The facade of this keynote building on one of the primary routes into Wolverhampton is enlivened by work designed by students at the University.



c) Through the adoption of appropriate policies in the Borough's land use plan (Unitary Development Plan - UDP) and in practice through the planning application system.

Since adopting the Arts Council's "Percent for Art" policy, the Authority has pursued all three aspects. For planning purposes, Policy ENV22 - Provision of Public Art, was included in the UDP (p.79 "Protecting and Enhancing the Natural and Urban Environment - General Policies"); it is produced in full below including the explanatory text. It should be noted that the text has been tested at the Public Inquiry for the UDP and approved by the Inspector. The UDP was formally adopted in September 1993.

POLICY ENV22 - Provision of Public Art

The Council will encourage Developers to Provide for Public Art in Major Developments

The Council is a "Percent for Art"
authority. This programme seeks the
allocation of a percentage of the
construction costs of a project towards
the production of works of art and/or
craft works to enrich the final structure
and its environment. The Arts
Council who are guiding the national
programme recommend a minimum of

one percent of the total construction costs. The Council when dealing with proposals for development, particularly those of a substantial nature, will encourage developers to incorporate art works and influences of artists and craft persons within the project as a matter of course. This will apply to both major

commercial and residential development.

In the latter case, it is not envisaged that the houses themselves should necessarily incorporate such features, but that provision should be made within the site as a whole perhaps in association with any open space to be provided or at the gateway to the site. The Council

foresees the involvement of artists or crafts persons in a project ranging from their production of a separate feature, through the embellishment of standard items such as fencing and gates, through to their involvement with the project design team where the results are collective and not identifiable with any individual. The Council will be willing to advise developers who have not already adopted such a policy and to further its application within the Borough.



Illustration 11

- "Horse and Rider"
Lunt Junction, Black
Country Route.
Part of a metaphoric
programme of
works originated
by the artist Jamie
McCullough and
linking Bilston's
past and future.

Under the terms of ENV22 the Council, in encouraging the voluntary provision of new works of art, will have regard in determining an application for planning permission to the contribution made by any such works to the appearance of the scheme and to the amenities of the area.

In 1995 the Authority adopted an 'Arts and Cultural Strategy' for the Borough. It identified six keys aims to:-

- encourage and increase access to and participation in culture of all kinds
- encourage and maintain high quality work
- preserve the cultural heritage and cultural institutions
- integrate arts and cultural activity
- develop cultural industries
- examine cultural provision and identify gaps

The provision of public art through the development process can satisfy each and severally these aims to a greater or lesser extent.

It is the intention to monitor, co-ordinate and evaluate such contributions to the improvement of the quality of life to the Borough through the establishment of a Special Working Party (see Section 5).

Illustration 12 - A sequence of railing panels, Sanderson Park. Lakefield Road, Wednesfield. An artist brings a different way of seeing development and can enliven the whole street scene.





The Forms of Works of Public Art

Before looking at the processes involved in executing a public art project through planning procedures, it is helpful to consider the forms which such a work may take. Of course, for large projects provision may take a variety of forms but each has particular points which will need to be addressed. There are 4 main forms dealt with below. Regardless as to whether a piece of work of Public Art or Craft is free standing or attached to a building, it is considered integral to the development under which it was produced. Therefore it cannot be removed without the formal permission of the Planning Authority.

Some consideration is being given to the development of a general fund for the provision of public art to which contributions could be made. Such a fund could assist with access into and involvement of the local community, the maintenance of existing works, whether of recent or historic origin, or the archiving of material. However, at this stage contributions to a general fund are more appropriate coming from straight forward business sponsorship than indirectly through land use planning.

Freestanding Works

These are items such as mounted figures and fountains which would historically be considered as "public art". These kinds of public art are very prominent and would not normally be favoured unless they form part of an overall public art plan or are part of new public open space or a scheme of urban civic design.

Future maintenance, security and appropriate consultations would need to be considered at the earliest stages of development.













Illustration 13 - Public Car Park, Waddens Brook Road, Wednesfield.

Small inset slabs highlight local features

Integrated Works

These are works which can be separately identified but are nevertheless part of the fabric of a building or development. They include walls, railings, paving and floor finishes, street or other furniture, murals, relief work, decorative glass etc. Prior to planning permission, there would need to be some indication of the type of work, siting, artist(s) involved and the commissioning process. Any work so produced should be included in the general maintenance programme for the development.



This refers to a method of working where artists are appointed as part of design teams. It must be at an early stage of a project as encouraged by the RSA "Art for Architecture" scheme (para 2, page 5). The result of such collaborations may not be identifiable "art works" but will, nevertheless, influence the aesthetic of the overall design. Examples of the areas which can be influenced by the process are building form and layout, land form and landscape design, lighting, colour and signage.

The commissioning brief for the artist will be significant to any assessment as to satisfying legal agreement on the provision of public art.

Temporary Work

There is a place for temporary works in the broad provision of public art. There may be a celebration (eg, a festival or launch event), an art work with a finite life (e.g. a documentary project or planting scheme), the commissioning of music, poetry or a performance based work.

They offer particularly good opportunities to involve local people in a way which could enhance the prospects of the development. As a minimum outline proposals would need to be submitted prior to planning permission and they should include timing, resourcing and the identity of the artist(s) who will develop the programme. However, they would not in themselves be sufficient to fully satisfy Policy ENV22. As temporary works they do not secure a permanent amenity for the development and lie outside the enabling Planning legislation.



Illustration 14 - Pergola detail to the Birmingham Canal, Millfields Road Housing, Bilston, Public art can provide a sense of entrance to development



Illustration 15 - Viaduct Wall, Church Street, Bilston, Developed by the artist from an Oral History initiative

The Processes Involved



Flow Chart

The flow chart above indicates the sequences through which public art may be provided in relation to development.

Project Assessment

The Authority shall encourage the provision of public Art in all schemes costing more than £500,000. In such cases it shall seek a minimum of 1% of the total construction costs to be provided for public art as it is considered that below this percentage it is unlikely that provision shall have the desired impact.

The Authority would still welcome schemes on projects costing below £500,000 including elements of public art. The construction cost



Illustration 16 - Pedestrian Entrance to St Johns Retail Park off the Dudley Road, Wolverhampton. Partly sited on the historic centre of the city's motor and cycle industry, the various marques and some of their achievements are celebrated around the development. This 3D map shows their historic location.

shall be taken as including external works but excluding the cost of the land.

Agreements with the Authority

Once a developer has agreed to the provision of Public Art, the Authority shall seek to formalise arrangements by the use of a Section 106 Agreement under the Town & Country Planning Act 1990, the other option being by way of planning conditions. The Authority values the clarity brought to the proceedings by a 106 Agreement. Such an agreement would at least specify the elements involved, the procedures for commissioning an artist, any involvement of the public, a timetable for implementation (in a relation to the project overall), any assistance to be provided by the Authority, the overall cost for the piece(s) of public art (preferably with an estimate of the component parts), a statement as to the responsibilities for the future maintenance of the piece(s) and the means of discharging responsibilities.

Commissioning of Artists

There are a number of methods for seeking artists for a project (the Authority itself does not normally recommend individual artists):

- By Advertisement in specialist press and the submission of portfolios.
- By viewing specialist slide libraries, trade directories and galleries.
- By nomination/recommendation from professional organisations, for example the Craft Council, or the Association of Artist Blacksmiths.
- Through professional intermediaries such as the Public Art Agencies.

As a minimum, it is recommend that portfolios be inspected and references for similar projects be taken up. Previous experience in a particular medium is not always essential and there are many excellent examples of artists successfully crossing over into new areas. Combinations of artists and crafts persons can be successful, obtaining a good balance between original ideas and high quality execution. However, unless the client is experienced in commissioning such work, they are recommended to employ professional intermediaries if they wish to pursue such an approach.

Illustration 17 - Plaques on railings to St Johns Retail Park, Wolverhampton showing some of the old marques.









Illustration 18 - 'Sunbeam' plaque, St Johns Retail Park, Wolverhampton.

There is never any substitute for seeing work first hand and that may settle a particular commission. More usually, a number of artists are approached for ideas which may be in the form of drawings, models or written submissions. They should be given a brief to which they should work (the Authority may provide assistance in this respect) and it is good practice for a nominal sum to be



Illustration 19 'Star' cars plaque,
St Johns
Retail Park,
Wolverhampton.

paid for their services and their costs covered by the client or his agents. All such ideas remain the intellectual copyright of the artist unless expressly stated otherwise, which is unusual. The ideas cannot be developed further without the express permission of the artist, preferably in writing. Final selection is normally made from such outline submissions and a detailed brief developed for the commission.

Involving the Public

The value of involving the local community in the creation of public art proposals cannot be overstated. Although it is recognised that for a large number of projects there may not be a readily identifiable local community, sometimes it just requires a flexible interpretation. For example, where a factory is relocating with its workforce, that workforce is itself a community and could be involved in the provision of public art. (The region pioneered the placement of artists in industry in the 1970's).

Also, schools normally value work with outside organisations and can help publicise the programme.

The local community can become involved at a variety of stages: they can help establish the brief for artists, after all they are the future customers; they can be the designers for example through art and design courses at local schools and colleges; they can help in the selection process and they can participate in its final production, particularly with temporary works.



Illustration 20 - 'Star Cars' plaque, St Johns Retail Park, Wolverhampton.

Timetabling & Monitoring

Although part of the development process, it is important that the provision of public art is carefully timetabled. Even where of a semi-industrial character, the supply of unique items is a time-consuming process which must be considered very carefully in relation to the overall construction programme. Additional considerations may need to be made to involve the local community.

The Authority is aware of the difficulties of keeping to an exact timetable.

Provided evidence is available of a continuing commitment to the project, it is prepared to be flexible in adjustments to the original programme.

Discharging of Responsibilities

In order to satisfy the Authority that the developer has discharged his obligations under the Agreement, the Authority will require as a minimum:



 Copies of the final brief to and letter of appointment of the artist(s).

- Inspection of the piece(s) by the local authority in the presence of the developer to ascertain satisfactory completion.
- Confirmation of the fees
 paid to the artist and the
 construction costs of the piece(s).



Illustration 22 -Wall plaque, St Johns Retail Park, Wolverhampton. The 1930's world land speed record attempt in a sunbeam car,

- Where the element of public art is the adaptation of a standard item such as a fencing panel, confirmation of the extra-over cost of the element of public art.
- Arrangements for the future maintenance of the public art.

Wall plaque,
St Johns Retail Park,
Wolverhampton,
celebrating the 1925, World
Land Speed record achieved
in a Sunbeam Car-



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Section 4

Illustration 23 -Manor Road, Penn. Weathervanes designed by local school children and constructed by artist blacksmith Pete Walker.

- Where temporary works form a part of the provision, the nature of and arrangements for the archiving of material recording the temporary works.
- Where an artist has worked within the design team, a statement as to where that artist has influenced the project and a breakdown of their fees.

Maintenance

It is essential for developers to consider and make adequate provision for the future maintenance arrangements for any works of public art. It can fundamentally affect the form which the developer may wish to select. Because of the longer term financial implications, the Authority is most unlikely to take on the maintenance of freestanding structures in particular. It may more readily consider accommodating material for its archives.

Illustration 24 - The Boulton Paul 'Defiant'
Memorial Pendeford Rise, Pendeford. The
work forms the only record on the site from
which the planes took off in World War II.
The memorial has become a focus for small
acts of remembrance.







Public Art Monitoring and Review

The Authority monitors the policies of the Unitary Development Plan on a regular basis and as a new proposal policy ENV22 is subject to particular scrutiny. However, as has been indicated, the provision of public art overlaps with cultural and artistic strategies and the Authority is considering the establishment of a Working Party which would:

- Review the success of the Authority's policies on public art.
- Make recommendations for any necessary improvement.
- Set and review curatorial objectives annually.
- Establish and monitor guidelines for archival material from public art projects.
- Review best practice elsewhere on the provision, maintenance and interpretation of public art.

The composition of such a Working Party may be such as to include:

 Member representation with portfolios covering Planning, Regeneration, Arts and cultural Services.

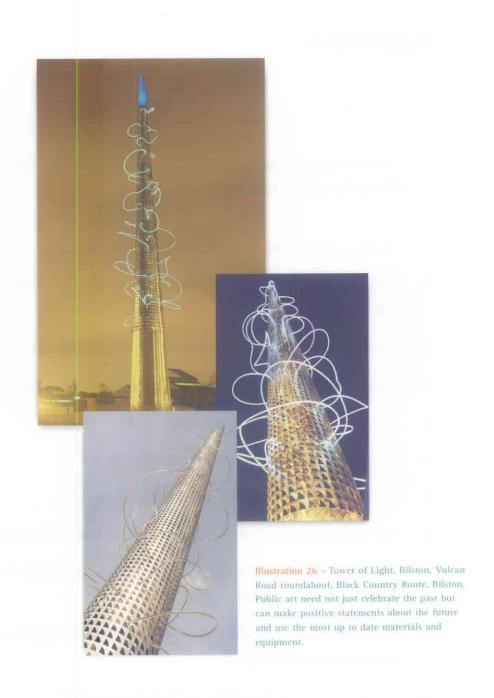
- Representatives from the field of public art administration.
- Artists.
- Developers.
- A curator.

It would be serviced by officers drawn from the Directorates of Regeneration and Transportation and Lifelong Learning.

In the meantime individual schemes will continue to be monitored by planning officers on a day-to-day basis, either separately or as part of any wider working arrangements set up to oversee a project.



Illustration 25 - Gates to High Level Route, Bilston. Artists can reinterpret traditional elements to redefine a sense of place.



Appendix

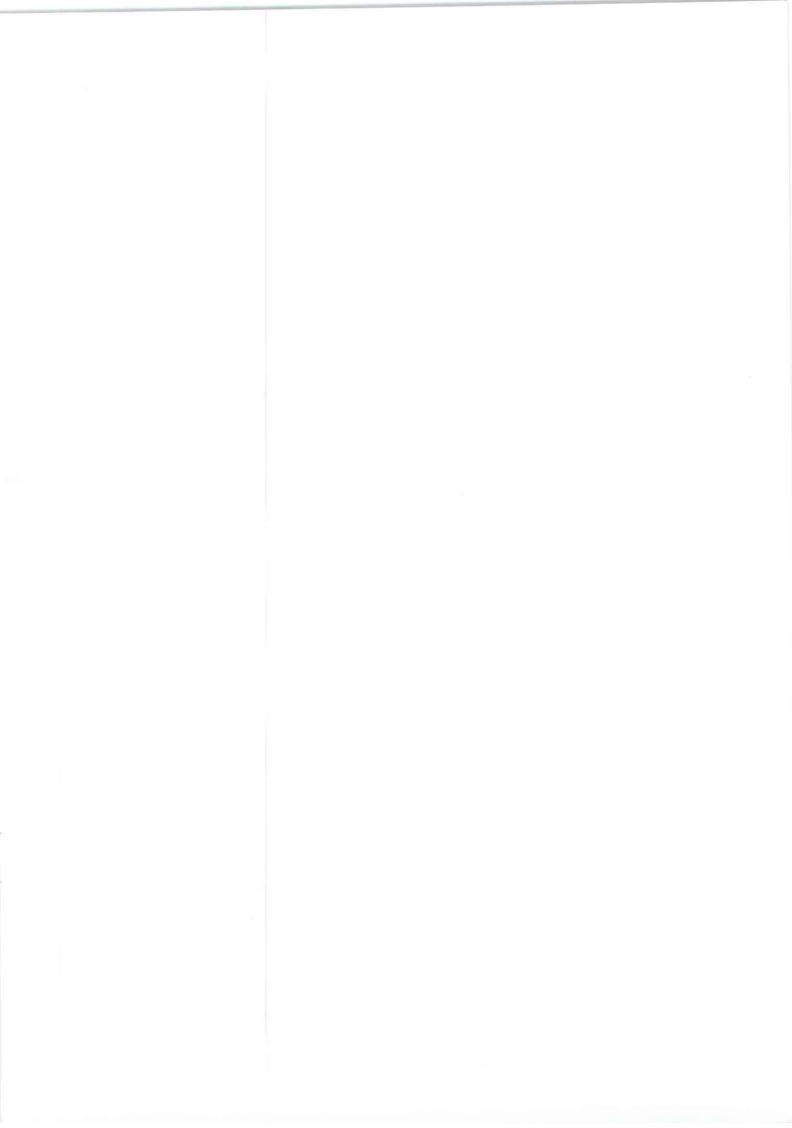
List of Illustrations

Cover Photograph: Designed by Steve Field and carved by Robert Bowers and Michael Schuermann for Safeway Stores plc.

- 1. "Roll Down" Robert Erskine for Blue Lamp Business Parks Ltd.
- Railings for the Swan PH car park by Peter Crownshaw for Wolverhampton and Dudley Breweries Ltd.
- Railing detail by Peter Crownshaw for Marath Developments Ltd.
- 4. Railings by artist blacksmith Peter Walker for Bryant Homes (Central) Ltd.
- "Industry of Bilston" by John McKenna.
- Elevations by PCPT Architects Ltd for Metalbrasives Ltd.
- 7. Fencing panels by John McKenna for Kendrick Homes Ltd.
- 8. Balcony guards and railings by Alan Evans for Community Hospitals Ltd.
- Sign and bridge for the entrance to the Arena Theatre by Atkinson Design Associates for the University of Wolverhampton.
- Murals by students at the University co-ordinated by Greg Broad for the University of Wolverhampton.
- 11. "Horse and Rider" by Tessa Pullan for Wolverhampton MBC.
- 12 Railing panels by Kate Maddison of Chrysalis Arts for Second City Homes Ltd.
- 13. Terminal paving slabs by John Vaughan for Wolverhampton MBC.
- 14. Pergola by Jane Kelly for Midland Homes.

- 15. "Witness" by Bettina Furnee for Wolverhampton MBC.
- Dimensional location plan of Wolverhampton's historic motor and cycle industry designed by Steve Field and modelled by John McKenna for Castlemore Securities Ltd.
- "Briton", "Clyno" and "Guy" badges modelled by John McKenna for Castlemore Securities Ltd.
- 18. "Sunbeam" badge modelled by John McKenna for Castlemore Securities Ltd.
- 19. "Star" badge modelled by John McKenna for Castlemore Securities Ltd.
- "Star Cars" wall plaque designed by Steve Field and modelled by John McKenna for Castlemore Securities Ltd.
- 21. Wall plaque celebrating the 1925 World Land Speed Record achieved in a modified " Sunbeam" car. Designed by Steve Field and modelled by John McKenna for Castlemore Securities Ltd.
- "Sunbeam Silver Bullet" wall plaque designed by Steve Field and modelled by John McKenna for Castlemore Securities Ltd.
- Weather vanes designed by children from Colton Hills School and made by Peter Walker for Bryant Homes (Central) Ltd.
- 24. The Boulton Paul 'Defiant' Memorial by John McKenna for Clarke Homes Ltd.
- 25. Gates by Richard Criddle for Wolverhampton MBC.
- 26. "Tower of Light" by Ellis O'Connel for Wolverhampton MBC.





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