



Maidstone Borough Council

## **Public Art Guidance**

**Adopted  
November 2017**

## Table of Contents

<b>1 Purpose</b>	<b>3</b>
<b>2 Policy Context</b>	<b>3</b>
<b>3 Developing the Guidance</b>	<b>6</b>
<b>4 Status of the Guidance</b>	<b>7</b>
<b>5 What is Public Art?</b>	<b>7</b>
<b>6 Benefits of Public Art</b>	<b>8</b>
<b>7 Community Engagement</b>	<b>9</b>
<b>8 Commission Timeframes</b>	<b>10</b>
<b>9 Themes</b>	<b>10</b>
<b>10 Implementation and Obligations</b>	<b>13</b>
<b>11 Thresholds</b>	<b>14</b>
<b>12 Spending Public Art Contributions</b>	<b>14</b>
<b>14 Application Process</b>	<b>16</b>
<b>15 Public Art Delivery Plan</b>	<b>17</b>
<b>16 Developer Guidance</b>	<b>18</b>
<b>17 General Artist Specification</b>	<b>19</b>
<b>18 Maintenance of Artwork</b>	<b>20</b>
<b>19 Insurance</b>	<b>20</b>
<b>20 Decommissioning</b>	<b>20</b>
<b>21 Review and Monitoring</b>	<b>21</b>
<b>22 Acknowledgements</b>	<b>21</b>

# Maidstone Borough Council Public Art Guidance

## 1 Purpose

**1.1** Maidstone Borough Council has produced this Public Art Guidance; it is intended for applicants, agents and planning officers to assist with the commissioning of public art. It has a borough wide remit that acts as a material consideration, which supports Maidstone Borough Council's emerging Local Plan. It provides further detail about how national, regional and local planning policies will be applied in relation to the commissioning of Public Art on development and regeneration schemes (commercial and residential) across the borough.

**1.2** This material consideration is in place to ensure that opportunities are not missed regarding integrating art into a development or regeneration scheme to create a sense of place, and character. Public art has a significant role when creating distinctive places and helping to establish successful and vibrant communities. Public spaces provide the most appropriate setting for public art and can make us think about the places that we live.

**1.3** Maidstone Borough Council is ambitious in its aspirations for the borough and its people and recognises that public art can contribute to, emphasis and enhance Maidstone's unique heritage, cultural and natural assets.

**1.4** The incorporation of an artist within the process of designing the public realm means their contribution of creative thinking, interpreting the use, history or hidden meaning of a space can express the aspirations of the communities that use them or will be a part of its future.

**1.5** Maidstone Borough Council advocates that artist involvement must be considered at the early stages of a development scheme. Artists' contributions can be meaningfully and sustainably integrated within the physical infrastructure and as importantly across the communities that will be a part of a development's future.

## 2 Policy Context

### National Policy and Guidance

**2.1** In the context of the National Planning Policy Framework (NPPF), public art contributes to strong, vibrant communities through the creation of quality places and relating health, social and cultural well-being benefits. Planning Practice Guidance (PPG) provides further guidance in relation to the approach, which should be taken to the NPPF. The PPG refers to cultural wellbeing and cultural facilities generally in both urban and rural areas, and the need for the development control system to have regard to these issues and facilities in planning for sustainable development. Particular reference is made to the provision of public art within the PPG.

**2.2** In particular, in the guidance, which has been given in relation to well-designed public spaces the PPG observes as follows:

"A well designed public space is lively"

**2.3** Public spaces are available for everyone to see, use, enjoy, (e.g. streets, squares and parks). They help bring neighbourhoods together, and provide space for social activities and civic life. They also provide access, light, air and the setting for

buildings. The position, design and detailing of public space is central to how it provides benefits for the wider community. The most successful spaces exhibit functional and attractive hard and soft landscape elements, with well orientated and detailed routes and include facilities such as seats and play equipment. Public art and sculpture can play an important role in making interesting and exciting places that people enjoy using."

Paragraph: 018 Reference ID: 26-018-20140306

"Public art and sculpture can play an important role in making interesting and exciting places that people enjoy using." Planning Practice Guidance, Department for Communities and Local Government (2014)

## CASE STUDY

**Permanent artwork:** 'Trails with Tales' – Cobtree Manor Park, Maidstone Borough Council  
Commissioned artist Jason Mulligan

Sculpture  
Public realm

Site-specific stone sculptures as part of a sculpture trail for Cobtree Manor Park. The works reference the history of the park and the travels of Sir Garrard Tyrwhitt-Drakes menagerie of animals, locally referred to as Maidstone Zoo.



Images courtesy of Jason Mulligan



## Regional Guidance The Kent Design Guide

**2.4** Public art is encouraged in development proposals and planning for its provision should be an integral part of the design process.

Works of art on existing and new buildings or within developments can be a potential means of improving the quality of the environment. Distinctive works of art can contribute to and enhance the creation of a sense of place and local identity.

*Successful public art will:*

- engage with the public and develop their understanding and appreciation of these works
- involve educational projects and promotional activities
- encourage collaboration and partnership with both public and private sector organisations, and between arts organisations.

**2.5** The provision of public art will vary according to the nature of the proposal and its location. There are layout and detail design implications in making provision for public art, which need to be embedded in the development process from the beginning rather than as an add-on.

Suitable locations for public art might include public open space, key gateways to districts, arrival points within towns and villages and integral parts of buildings and structures themselves.

*Public art might be found in:*

- new infrastructure - for example within the design of roads, viaducts, bridges and public utilities structures
- landmark buildings - with public access such as retail centres, civic buildings, stations, ports, schools
- new and existing public areas - enhancing streets, open spaces, cycle ways, bridleways and footpaths with, for example, signage, street furniture, paving and lighting
- new landscaping - using land form and planting
- temporary or moveable structures – for example on construction site hoardings or moveable light shows
- Development of larger sites that could accommodate a series of public art pieces should have a strategy for their location, design and commission. There are a number of ways to achieve this including art masterplans, public art strategies and policies included within local plans, local development frameworks, development briefs and community participation programmes. It is recommended that specialist public art consultants are engaged at an early stage to develop such strategies.

## **Local Policy**

### **Maidstone Borough Council Local Plan**

**2.6** The Maidstone Borough Local Plan will deliver sustainable growth and regeneration whilst protecting and enhancing the borough's natural and built assets. Maidstone Borough Councils corporate priorities are:

- Keeping Maidstone Borough an attractive place for all
- Securing a successful economy for Maidstone Borough

Both priorities have a clear links to public art by:

- Creating a more coherent way of commissioning public art
- Creating a more attractive place

Maidstone Borough Council's Local Plan supports public art through the **Policy DM**

**1: Principles of good design**, specifically:

- ii. Respond positively to and where possible enhance, the local, natural or historic character of the area. Particular regard will be paid to scale, height, materials, detailing, mass, bulk, articulation and site coverage - incorporating a high quality, modern design approach and making use of vernacular materials where appropriate;
- iii. Create high quality public realm and, where opportunities permit, provide improvements, particularly in town centre locations;
- vi. Provide a high quality design which responds to areas of heritage, townscape and landscape value or uplifts an area of poor environmental quality;

**Policy SP4 Maidstone town centre** also sets out a number of policies directly relevant to the delivery of public realm improvements in the town centre, including:

1. The regeneration of Maidstone town centre is a priority. This will be achieved by:
- vii. The retention of the best environmental features, including the riverside, and delivery of schemes to improve the public realm and pedestrian environment as identified in the

Infrastructure Delivery Plan;

2. Development in the town centre should:
  - i. Demonstrate a quality of design that responds positively to the townscape, including ensuring the conservation and enhancement of the town centre's historic fabric;
  - ii. Contribute to the priority public realm and accessibility improvement schemes for the town centre identified in the Infrastructure Delivery Plan.

## CASE STUDY

**Temporary artwork:** Folkestone Triennial – Shepway District Council. Commissioned artists – various

Events, activities and installations

The Folkestone Triennial presented by the Creative Foundation exhibits newly commissioned artwork in public spaces around the town. Artists are invited to engage with the cultural history and built environment of the town with aprox twenty major artworks commissioned for each Triennial. Temporary in nature some of the commissions remain in place permanently.

The Triennial supports local people and business and has had a positive impact on the economy as well as the perception and image of the town.

Folkestone Triennial 2014, images courtesy of the Creative Foundation



Jyll Bradley, Green/Light (for M.R)



Will Kwan, Apparatus #9 (The China Watchers:  
Oxford University, M16, HSBC)

## 3 Developing the Guidance

**3.1** This guide has been developed by consulting with key stakeholders, including Maidstone Borough Council Planning Officers, Heritage, Leisure and Culture Committee, Strategic Planning, Sustainability and Transportation Committee, One Maidstone, Maidstone Borough Council Developers Group and the Town Centre Strategic Advisory Board.



## 4 Status of the Guidance

**4.1** This Guidance is recognised as a material consideration by Maidstone Borough Council and was approved by Strategic Planning, Sustainability and Transport Committee in November 2017.

## 5 What is Public Art?

**5.1** Public art is art that is site-specific and made for public spaces. It can be understood as a variety of art forms and approaches that engage with the sites and situations of the public realm. Although it need not always be within public spaces, the term refers to work that is accessible or available for the public to see.

**5.2** Public art involves the commissioning of artists and craftspeople to make new work, which can be permanent, temporary, internal and external, embedded or freestanding. Public art includes work that is embedded into a scheme, through material or functional design. See table on page 8.

### CASE STUDY

**Permanent artwork:** 'The Louis Nolan Memorial' – Ophthalmic Hospital, Maidstone Higgins Homes, Maidstone Borough Council. Commissioned artist Meltdowns Art and Production Studio

Sculpture  
Public realm  
New build and re-development of Grade II Listed building.

Site specific bronze statue depicting Louis Edward Nolan on horseback. A British Army officer who trained as a riding master in the Cavalry Depot in Maidstone, best known for his role in the Charge of the Light Brigade during the Crimean War.  
Kentish Ragstone and Clipsham stone compliments the palette of public realm materials within the regenerated site and the grade II listed building.



Image courtesy of FrancisKnight

## 6 Benefits of Public Art

**6.1** Public art provides social, economic, environmental and cultural benefits that can be achieved by including public art in a scheme, these include:

- Contributing to local distinctiveness and a sense of place
- Engaging and interacting with the public
- Contributing to an attractive environment to live, work, invest or visit
- Creating a strong sense of local identity and community pride
- Encouraging people to value their surroundings
- Providing a focus and stimulus
- Health and well-being
- Targeted at specific age groups/family friendly focus

**6.2** For the purpose of this document, public art is considered to be:

Category	Type
<b>Permanent</b>	Sculpture
	Art Infrastructure e.g. artist studios or workshops, gallery space
<b>Embedded</b>	Lighting
	Paving
	Kerb detailing
	Street furniture
	Cladding/Facade
	Landscaping/open spaces
<b>Temporary</b>	Artist led, event based activity
	Performance
	Exhibitions
	Installations
	Text based work
	Hoardings
	Moving image
	Digital
<b>Interior commissions in publicly accessible buildings</b>	Sculpture
	Lighting
	Floor treatments
	Architectural glass
	Vinyls/Manifestations
	Artwork such as paintings, textiles & photography
	Furnishings

**6.3** Public art can also be used to aid wayfinding and can work well in development sites:

<b>Gateways</b>	To emphasis a sense of arrival into the borough or development sites on foot or by transport
<b>Markers</b>	A way of encouraging pedestrian and cycle routes though a specific area, highlighting areas of interest, travel times or a specific location
<b>Landmarks</b>	To create focal points and aid way finding
<b>Linear Artworks</b>	Embedded into paving/kerb detailing to aid way finding for pedestrians and cyclists
<b>View Points</b>	To appreciate location and views, highlighting sights and sounds in the area



## CASE STUDY

### Community Engagement

Events and activities

IN-SITE – Medway Council

Commissioned artists – various

IN-SITE was an engaging and interactive public art project along Rochester Riverside. Before development began the participating artists undertook community engagement activity, involving communities that lived by and used the Riverside location.



Images courtesy of FrancisKnight

## 7 Community Engagement

**7.1** Key to any public art process is community engagement. Where applicable Maidstone Borough Council advocates that public art can be a platform for engaging with communities both existing and future alongside the commissioning process. A sense of ownership, public access and contribution to content development can be harnessed through artist engagement. The community can be involved in the public art process in a variety of ways such as:

- Inviting local stakeholders with an interest in the project to be on a public art steering group. The steering group can act as ambassadors for the project and provide vital connections and resources to assist artists in creating the final work
- Holding workshops to share skills and artist's talks to widen the knowledge of how an artist works.
- Running artist led activity or events to highlight the changes that will take place as part of the development.
- Inviting people to participate in creating an artwork, by generating ideas, working with local school children or colleges.
- Animating a place before construction begins with temporary artworks such as the use of hoardings around a development site.
- Holding a celebratory event to open a development or announce the arrival of an artwork.

## 8 Commission Timeframes

**8.1** A permanent artwork will be designed to last indefinitely but not less than 10 years. Maintenance will have to be factored into the commissioning process to allow the artwork to withstand the timeframe. A semi-permanent commission will have a life span of up to 10 years and could be in place whilst construction takes place. Temporary commissions usually have a life span of less than 5 years. Commissioning temporary interventions before development begins is a good way of animating a site before or during construction. Temporary commissions can include activity and events as part of community engagement and is a successful way of engaging with existing or new communities

### CASE STUDY

**Permanent artwork:** 'Elements' St Peters and Broadway Bridges, part of the Walk of Art program, Maidstone Borough Council  
Commissioned artist Peter Freeman

Light installation

Site specific light installation along the structures of two bridges creates reflections that visually connect and animate the space between them.



Image courtesy of Maidstone Borough Council

## 9 Themes

**9.1** Maidstone is the county town of Kent, England, 32 miles (51 km) south-east of London. The River Medway runs through the centre of the town, linking it with Rochester and the Thames Estuary. Historically, the river was a source and route for much of the town's trade as the centre of the agricultural county of Kent.

## **Maidstone Town Centre & Urban Areas**

**9.2** Maidstone has a colourful history shaped by battles, revolts, witches, mad priests and later, industrialists, brewers and Victorian benefactors. Understanding the story of Maidstone's industrial, cultural and historic heritage is an important aspect in defining the character of Maidstone.

**9.3** Historically, Maidstone grew up as a transport hub, where the Roman road linking Rochester with the port of Lympne crossed the confluence of the River Len and the River Medway, and where these important waterways could be forded or bridged. The rivers became both sources of power for milling and other industrial processes and transport conduits to London and further afield.

**9.4** The Saxon village that grew upon the banks of the Medway became a prosperous medieval trading station and its historic wealth is reflected in the fine collection of heritage buildings that characterize the town centre.

**9.5** Key industries that have thrived in the town include: thread making, paper making, barge making, milling, distilling and brewing, all of which made use of the river. A good deal of trade also passed through the town, including corn, hops, fodder, fruit, stone and timber. The quarrying of building stone around Maidstone has always been important and continues even today.

**9.6** For more information on the history and heritage of Maidstone, visit:  
<http://www.visitmaidstone.com/inspire-me/maidstones-history-and-heritage>

**9.7** The local history and social history collections at Maidstone Museum document the history and people of the area and include local industries, photography, printed ephemera and numismatics.  
<http://museum.maidstone.gov.uk/explore/collections/local-history/>

**9.8** Access to Kent's archives and local history can be found at the History and Library Centre. Visit:  
<http://www.kent.gov.uk/leisure-and-community/history-and-heritage/kent-history-and-library-centre>

**9.9** There are opportunities to focus public art as part of public realm improvements ensuring they retain and build upon Maidstone's cultural history and distinct identity. This should be reinforced through wayfinding and where possible commissioned public art which has a dual functionality such as street furniture (please also refer to the [Maidstone Town Centre, Public Realm Design Guide](#)).

## **Villages and Hamlets**

**9.10** Outside of the town centre boundary Maidstone has grown to incorporate villages and hamlets within its boundaries. The Local Plan defines these areas as Rural Service Centres and Larger Villages

Rural Service Centres, include:

Harrietsham

Headcorn

Lenham

Marden

Staplehurst

Larger Villages include:

Boughton Monchelsea

Coxheath

Eythorne Street (Hollingbourne)

Sutton Valence

Yalding

**9.11** New developments in these areas should include public art and bespoke elements in the public realm drawing inspiration from the distinctive character of each area. Local history societies provide a good source of images, documents and archives to enable artists to respond to.

### Artist Research

**9.12** Artist research is integral to public art development and themes should be set within an artist brief that draw on the character of a place. Themes should also set the context for public events and engagement programmes. The cultural and historic heritage of the borough should be utilised and inform the commission process.

**9.13** Themes could include references to:

- Place, expanding on the heritage and culture of a site
- Ecology, enhancing positive and distinct characteristics
- Location, exploiting its unique setting, viewpoints and vistas
- Communities and their connection to the area
- Eminent people who have lived or worked in the borough and have had an impact on the local, national or world stage.
- Industries that have thrived in the borough and contributed to different stages of the borough's development.

## CASE STUDY

### Permanent artwork:

Embedded text, seating

Genesis Housing Association

Commissioned artist Christopher Tipping

York stone steps with inset granite text and timber seating.



Images courtesy of Chris Tipping



## 10 Implementation and Obligations

**10.1** There are a number of good practice principles to be followed in respect of commissioning public art for new developments. Proposals should be discussed as part of any pre-application discussions with officers from the Council and early involvement of the local community, ward members and parish councils where appropriate. Artists should be brought on as part of a team working collaboratively with other professionals in the project/design team where their work is integrated into the scheme as a whole. Public art should not be seen as an 'add-on' or as an afterthought. Please see guidance on commissioning artists for the public realm.

**10.2** When considering the potential for public art works Maidstone Borough Council advise that an artistic advisor should be engaged as early as possible into the process. By exploring the commission potential at an early planning stage, appropriate public art commissioning can be conceived, approved and managed as part of the development timeframe.

### CASE STUDY

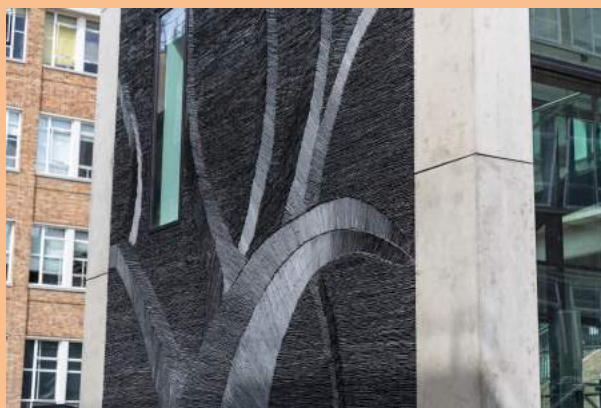
**Permanent artwork:** David Attenborough Building, Cambridge, 2016 – South Cambridge Authority. Commissioned artists Ackroyd & Harvey

New Build – Cladding and Entrance, embedded

The artwork is a cladding made up of slate and constructed from over thousands of layers of slate and built up to create an intense stratum visual effect, within the wall is discrete habitat spaces to attract a range of wildlife including bats, solitary bees, spiders and insects.

The artwork acknowledges both the history of the new Museums site as the original home to the botanical garden in the 18th century.

The material used in the artwork is a waste product from the roof tiling industry.



Images courtesy of Ackroyd & Harvey

## 11 Thresholds

**11.1** The provision of public art will be expected on site. If it is not practical to make provision for public art within the application site, a developer may be given the option of providing a contribution to public art in the vicinity of the application site or exceptionally, in another part of the Borough. Public art will generally be sought from development proposals that meet the following criteria:

Development Type	Proposal	Public Art Budget Calculation
Residential, office, retail, leisure, health and educational development and any other significant public building including <ul style="list-style-type: none"><li>• New build</li><li>• Redevelopment</li><li>• Mixed use schemes</li><li>• Changes of use</li><li>• Conversions</li></ul>	Net increase of 50 dwellings or more	A formula will be applied for developments. A budget for public art should be calculated at £3/m <sup>2</sup> of gross internal floor area. *
	Net increase of 2000 m <sup>2</sup> gross or more	
	Development where the site area is 1 ha or more	
	Significant public buildings in terms of visibility/landmark sites	

### 11.2 \* Rationale for Public Art Calculation

The principle of formulae was first advocated in the ODPM Circular on S106 Planning Obligations (2005)<sup>1</sup>. Since this time, various local planning authorities have introduced mechanisms to secure the delivery of public art through the development management process, including the London Borough of Croydon and Walsall Council. In setting the formula at £3m<sup>2</sup>, the Council has taken account of consultation responses received through the development of this guidance and the existing evidence on Local Plan viability. A further consideration, in setting both the formula and the thresholds, is the need for minimum budget to be sufficient to practically deliver meaningful public art measures.

## 12 Spending Public Art Contributions

**12.1** Once a budget for public art has been allocated it can cover the following:

- Advertising and selection costs
- Artist's design fees
- Exhibition costs
- Artist commission fee
- Materials and fabrication costs
- Travel
- Insurance and public liability
- Installation costs
- Transport and security costs
- Professional fees and legal costs
- Publicity, documentation and inauguration costs
- Contingency, possibly 10% of overall cost
- Evaluation costs.

<sup>1</sup>Circular 05/2005 Planning Obligations



## CASE STUDY

**Permanent artwork:** Frodsham Street, Chester and Chester West Local Authority  
Commissioned artist Katayoun Dowlatshahi  
Street Furniture, embedded artwork

Feature bollards referencing the surrounding buildings, heritage and canals.



Images courtesy of Katayoun Dowlatshahi

### 13 Public Art Provision

**13.1** Public art should be site specific and can be a cost effective way of adding value to existing budgets such as marketing, way finding and landscaping. When assessing a contribution, developers will be expected to demonstrate how public art will be incorporated into their scheme that reasonably relates to the scale, location and use of the site.

**13.2** Public art should form part of an holistic approach, with concepts being an integral part of a building or its setting. Where a site is expected to be delivered in phases, the developer will be expected to present a public art plan for the whole site.

**13.3** Artists, where appropriate, should work in consultation with the local community as outlined in community engagement.

**13.4** Commissioned artwork should be of a high quality and represent good value for money. Artists and crafts persons should be paid at professional rates, appropriate to the commission.

**13.5** Normal high standards of design and finish in the development should not be considered as an adequate substitute for unique pieces of work produced by professional artists.

**13.6** Commissioned artworks should be accessible to the whole community and in public view wherever feasible.

## 14 Application Process

### 14.1

Stage	Applicant	Maidstone Borough Council
<b>Pre-application</b>	<p>Consider the need for public art against the thresholds set out in this document.</p> <p>Consider an artist as part of the design team/masterplan stage.</p> <p>Scope content for Public Art Delivery Plan and potential public art.</p> <p>Note: A freestanding commission may require a separate planning permission.</p>	<p>During discussions, advise applicant of relevant guidance &amp; expectations.</p> <p>Advise applicant that specialist advice could help with briefing, selecting and appointing artists.</p> <p>Advise applicant to involve the local community, ward members and parish councils where appropriate.</p>
<b>Application submitted</b>	<p>Submit a Public Art Delivery Plan. This could be included as part of the Design and Access statement or as a separate document.</p> <p>Include full description of the commissioning process, detailed proposals for involving artists, budget and maintenance details. (See below for further details).</p>	<p>Advise applicant to submit a Public Art Delivery Plan as part of the planning application supporting information. The Plan will be considered as part of the application.</p>
<b>Application determined</b>	<p>Where a Public Art Delivery Plan has not been approved with the application, an acceptable Plan will need to be submitted and approved after the application is determined.</p>	<p>If an acceptable Public Art Delivery Plan has been submitted with the application, the Plan will be approved as part of the planning consent.</p> <p>If it is not included in the application, the requirement to prepare and submit a Public Art Delivery Plan will instead be subject to a condition* to discharge public art requirements.</p>
<b>Commission &amp; delivery</b>	<p>Start commissioning and selection process.</p> <p>Select and or commission artist/s for public art</p>	<p>For very significant / landmark sites, the Council will consider being included as part of any artist selection panel on a case-by-case basis</p>

### 14.2 \*Condition Example:

Prior to the commencement of development above DPC level, a written statement of public art to be provided on site in the form of a Public Art Delivery Plan shall be submitted to the local planning authority for approval. This should include the selection and commissioning process, the artist's brief, the budget, possible form, materials and locations of public art, the timetable for provision, maintenance agreement and community engagement, and the development shall be carried out in accordance with the approved details.

### 14.3 Reason;

In the interests of the good planning and place making/shaping in accordance with the provisions of the Maidstone Borough Council Public Art Guidance.

## 15 Public Art Delivery Plan

**15.1** A Public Art Delivery Plan should be submitted alongside planning applications. The following are details that applicants should consider including in a Public Art Plan. There may be some variation in detail depending on whether the application is in outline or in full.

### 15.2

- Description of the relationship between the public art plan and the relevant policies outlined in this guidance.
- Description of the site wide approach to be taken to public art including key locations, connectivity and information on form, themes and materials.
- Details of the selection and commissioning process for public art.
- Indicative timescales for the public art commissioning process.
- Indicative budget allocations for the delivery of public art
- Indicative details of ownership, maintenance and de-commissioning of public art.
- The artist brief
- Details of community/ward member engagement.

## CASE STUDY

**Permanent artwork:** Finberry Village, Ashford, Kent - Ashford Borough Council  
Commissioned artist Bruce Williams

Housing Development – Large-scale sculptural artwork

Finberry is a new village development by Crest Nicholson consisting of a mix of housing, community centre, sports facilities, play areas and a new primary school. Large-scale sculptural artworks create a sense of arrival for the developments approach. The work reflects on the rural environment and the wild life that inhabits the area.



Image courtesy of Bruce Williams

## 16 Developer Guidance

### Commissioning Artists for the Public Realm

**16.1** There are various ways to engage an artist. Writing a clear precise artist brief will help to attract the right artist. An artist brief should include, length of commission, material required, artist fee and budget, Maidstone Borough specific themes, background to the context of the commission, maintenance, insurance and decommissioning criteria. The artists brief should not be prescriptive, leaving the exact nature of the artwork to the artist's creative expertise, but having regard to any design guidance that is relevant. Where possible artists should be from Kent or the South East area.

### Open Call

**16.2** Placing an advert on specialist art websites can attract the right artist. Digital images or links to websites are submitted, with decision made on performance and quality of past and potential of work at interview. This can be a lengthy process and takes up a lot of management time but is a good way to discover artists based in the borough, Kent or the Southeast.

### Limited call out

**16.3** A number of artists are invited to respond directly to the brief in the form of a proposal. Artist are chosen on the strength of their work and approached to apply. This is a quicker process and more direct. Knowledge of artist work is vital when choosing this method. A decision is made on performance and quality of past and potential of work at interview.

### Direct approach

**16.4** An artist is approached directly through advice from specialist advisor. This is a quicker process and direct. Knowledge of the artist work and suitability for the project is vital when choosing this method.

### Interviewing

**16.5** When choosing artists for a commission it is recommended that interviewing will produce the right environment for an open and inclusive selection process.

### Stakeholder

**16.6** Involving others in the appointment of artists can be beneficial to the commission outcome. For example a steering group maybe appropriate for a large development at the higher end of the threshold. This could include members of the development team, local community representatives, council officers and specialist art advisor. Selection panels should be properly briefed and clear guidance be given on their responsibilities and the extent of their influence. At the lower end of the threshold the minimum requirement would be local community representatives, including parish councils where appropriate.

### Contracting

**16.7** On appointment of an artist/s a contract should be drawn up that includes agreed fees, budgets and timetable, defects and maintenance regimes, insurance and decommissioning agreements. This mutually agreed contract should also include details on the moral rights of the artists, attribution and acknowledgment, copyright and reproduction rights.



## CASE STUDY

**Permanent artwork:** 'The Double Helix', DNA, Millennium Park, Maidstone Borough Council  
Commissioned artist David Annand

Sculpture

Site specific steel sculpture 60 yards long and 10 feet high



Image courtesy of Maidstone Borough Council

## 17 General Artist Specification

**17.1** Artists should be considered from a range of disciplines with the following qualities:

- Competent with a track record of producing high quality original artwork in the public realm with a minimum 5 years experience.
- Experience of working with a wide range of audiences on community engagement or education and outreach as part of a project.
- Successfully devising public artworks considered by clients as fit for purpose, cost effective and free of maintenance complications and on deadline.
- Valid insurances including Artist Professional Indemnity and Public Liability
- DBS check (if applicable) or willingness to undertake this.

**17.2** The final choice of artist/s to be commissioned should be the responsibility of the commissioning agent or developer, but they should be encouraged to seek advice from public art experts and to involve and consult the local community.

## 18 Maintenance of Artwork

**18.1** Maintenance requirements for any artwork should be provided by the artist and agreed with the commissioner. A maintenance plan should include details on the type of care that the materials and design requires. Cleaning, wear of materials, specialist equipment or treatments such as anti vandalism requirements should be included. On completion of installation the maintenance and cleaning of the work falls under the responsibility of the commissioner, or their successor in title.

## 19 Insurance

**19.1** Through out the commission process the artist is required to have adequate insurance cover that includes public liability insurance with appropriate cover against risk of loss or damage to the work during research and development, consultation, production and installation. On completion of installation the insurance of the artwork falls under the responsibility of the commissioner. This should be budgeted as part of the overall commission.

## 20 Decommissioning

**20.1** The continued integrity with which an artwork has been commissioned can over time become compromised through changes in use, character or design of a site for which the artwork was commissioned. Physical deterioration of the artwork, costly repairs or damage beyond repair can also affect the work. If this cannot be resolved through restoration, removing the work maybe the best solution. Artist's contracts should include decommissioning agreements with criteria to be considered for decommissioning, detail life expectancy, review periods and maintenance agreement.

## CASE STUDY

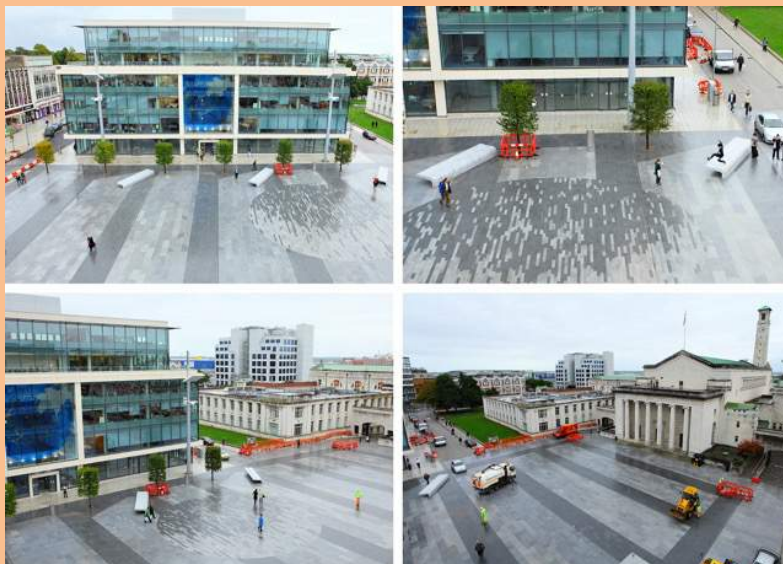
**Permanent artwork:** Guildhall Square, Southampton - Southampton Council  
Commissioned artist - Chris Tipping.

Public civic space, embedded art, street furniture

The artwork within the public realm focuses on movement, performance and light.

Granite paving detail, bespoke polished cantilever concrete benches with inset text feature quotes relating to the history of the Guildhall.

Glass atrium artwork also compliments the adjacent building that fronts onto the Guildhall Square.





## 21 Review and Monitoring

**21.1** The Public Art Material Guidance was approved in 2017. To support the provision of public art within the borough, the delivery of high quality public art will need to be monitored and reviewed against a set of indicators. Delivery will be assessed using planning application information and reported as part of Strategic Planning on a biannual basis. Indicators will include:

- Number of qualifying developments;
- Number of qualifying applications where public art was delivered successfully;
- Sum allocated on successfully delivered public art schemes;
- Number of qualifying applications where public art was not successfully delivered

Information gathered as part of this process will provide supporting evidence for the consideration of a public art policy when the Maidstone Borough Local Plan is next reviewed.

## 22 Acknowledgements

**22.1** Further Information:

### **One Maidstone**

One Maidstone is a Community Interest Company that is dedicated to improving the trading environment in Maidstone and in so doing enhancing the town centre for residents and visitors.

### **Maidstone Borough Council Developers Group**

**22.2** The Maidstone Developers Group meet biannually to hear updates and share news with Maidstone Borough Council.

### **Town Centre Strategic Advisory Board**

**22.3** The Maidstone Town Centre Strategic Advisory Board is made up of representatives from the private and public sector. The board's role is to support partnership working, stimulate investment and bring forward development in Maidstone town centre.

