

Dún Laoghaire-Rathdown County Council

PUBLIC ART POLICY

2018-2025



INTRODUCTION

Dún Laoghaire-Rathdown County Council is committed to supporting artistically ambitious public art programmes across all art forms that impact, animate and connect with the public or local community for whom they are made. The Council is committed to following best practice in the planning and implementation of public art programmes and commissions and to complying with the National Guidelines.¹

Public art, broadly defined, can take many forms and perform many functions but essentially public art is art that is often viewed outside formal art presentation structures.

CONTEXT

National

The commissioning of public art has been greatly enhanced since the introduction of the Per Cent for Art Scheme into local authorities in 1987. This Scheme allows for an amount of any central government capital construction budget to be ring-fenced for the commissioning of new artwork(s) in a variety of artforms. Capital programmes where the Per Cent for Art applies include public housing projects, (social and affordable schemes); transport and roads; environmental schemes such as drainage schemes, pump stations and reservoirs; public buildings such as libraries, public offices, schools, hospitals, medical centres, prisons, arts buildings - cinemas, theatres, art centres; conservation works carried out to public buildings and sites and, urban and village renewal schemes.²

The limits under the scheme are set to a maximum of 1% of the overall capital budget subject to a maximum amount of €64,000 per construction budget.

The publication, by the Department of Arts, Sports and Tourism, of the General National Guidelines for the Per Cent for Art Scheme in 2004 was a landmark in the development of public art practice in Ireland. These remain the guiding principles under which the Per Cent for Art Scheme is operated nationally and locally.

This Public Art Policy guides Dún Laoghaire-Rathdown County Council's approach to the implementation of the Per Cent for Art Scheme; and commissions which are financed solely through Council-funded capital projects.

Local

Dún Laoghaire-Rathdown sits between the borders of Dublin City, and the Dublin/Wicklow Mountains. The County has a population of 218,018 (2016 census) and covers the areas of Blackrock, Stillorgan, Dún Laoghaire,

¹ Public Art: Per Cent For Art Scheme, General National Guidelines, Department of Arts, Sport & Tourism, 2004

² <https://publicart.ie/main/commissioning/funding/per-cent-for-art/>

Glencullen/Sandyford, Dundrum, and Killiney/Shankill. It is the smallest geographical county in the Country and runs from the mountains in Tibbradden/Ticknock to the coast stretching from Shankill to Booterstown.

This Policy sits within the cultural context of the Council's Arts Development Plan 2016-2022.³

The development of this Policy was informed by the delivery of the Council's first two Public Art programmes and builds on the Council's first dlr Public Art Policy 2012 to 2018.

³ http://www.dlrcoco.ie/sites/default/files/atoms/files/arts_development_plan_eng_.pdf

VISION

Dún Laoghaire-Rathdown County Council's Public Art Policy 2018 – 2025 provides the framework through which a vibrant public art programme will be funded, procured and managed. The Council is committed to commissioning a broad range of artworks across art-forms, including work of both a permanent and temporary nature.

*'Public art creates connections with a people, a time and a place . . . creating opportunities for public engagement with contemporary arts practice. Public art projects can be of any form and can work within or across many art forms.'*⁴

Dún Laoghaire-Rathdown County Council recognises the strength and depth of artistic talent in the County which provides a strong culture and environment within which public art can flourish. That being said, it is internationally recognised that art does not necessarily have boundaries and in this respect opportunities will be open to artists outside the County to present and propose submissions for public art commissions.

The value of collaboration is recognised and, where relevant, opportunities will be sought to collaborate internally across County Council Departments but also externally with other local authorities, state and semi-state institutions and with the private and commercial sector.

The Council, through the Public Art Steering Group, will be responsible for devising and overseeing a public art programme as a means of implementing this policy. A public art programme is defined as a series of commissions which take place over a set period of time and which include a range of artforms, geographic locations and targeted contexts. Each programme considers the unique and diverse geography and make-up of the County, and looks to capitalise on the vibrant culture of Dún Laoghaire-Rathdown.

⁴ Ibid

SCOPE OF THE PUBLIC ART POLICY

The scope of this policy covers the commissioning of permanent and temporary public artworks sited both indoors and outdoors in the County that are commissioned or originated by any department in the County Council on sites owned or managed by Dún Laoghaire-Rathdown County Council.

The scope covers work funded both via the national Per Cent for Art Scheme, and internal Council budgets.

The scope covers any proposed loans, gifts or proposals from the public regarding artworks for public display on sites owned or managed by Dún Laoghaire-Rathdown County Council.

The scope of this policy does not include work that falls under the remit of the County Collection, which is housed in Council Offices.

SCOPE OF ARTWORKS & ARTFORMS

Permanent physical artwork is most typically understood as visual art such as sculpture, paintings, stained glass, etc. which can contribute to enhancing the public realm or a building. Other forms of public art may include theatre, music, film, literature and dance. They may culminate in a one-off event, such as street spectacle or a performance; or be concentrated towards engaging the public in the process or final outcome.

The Council recognises the importance of adopting a flexible approach to the type and range of work commissioned, allowing for work that responds in a unique way to the context of the County and provides a wealth and range of experiences for the public.

ARTISTIC PRINCIPLES AND AIMS

Public art commissions will aim to encompass a broad range of artistic practice and will pursue artistic excellence in process and delivery.

Public participation and engagement will form a central part of any public art commission.

It is an objective of the Council that, subject to any conditions attached to future capital development funds, the commissioning of public art shall be reasonably balanced across the electoral areas of the County.

OVERSIGHT & IMPLEMENTATION

A Public Art Steering Group will be formed to oversee all public art commissioning and will have overall responsibility for the implementation of public art in the County. All public art commissioning in the County will be centralised through this Steering Group in order to ensure the most effective use of funding, the commissioning of the highest quality work and the most strategic approach in terms of connection to other key objectives including the County Development Plan, the Arts Development Policy, the Open Space Strategy, and urban and rural renewal schemes.

A percentage⁵ of each project budget will be allocated to project management costs and managed by the Arts Office. In the case of a programme of commissions, these amounts may be pooled to ensure the most cost effective use of resources.

Separate to the Steering Group, a Public Art Working Group will have responsibility for identifying potential budgets for commissioning.

Potential funding sources for public art commissions may include:

- Per Cent for Art Scheme monies generated through central Government funded capital construction budgets
- Internally funded public art commissions

All public art commissions will be managed through the Arts Office and overseen by the Public Art Steering Group. All public art funding, whether from internal or external sources, shall be pooled⁶ into the public art capital codes which are managed by the Arts Office and used to fund the public art programmes.

FUNDING

The commissioning of Public Art is funded primarily from Per Cent for Art Schemes budgets generated through central Government-funded capital construction projects delivered by Dún Laoghaire-Rathdown County Council.

Individual Council departments that are delivering internally funding capital projects also contribute to a pooled fund for the commissioning of Public Art.

⁵ This amount shall not exceed 12% in any case

⁶ Public Art: Per Cent For Art Scheme, General National Guidelines, Department of Arts, Sport & Tourism, 2004

Per Cent for Art Scheme⁷

The aim of the Per Cent for Art Scheme is to provide funding for public art commissions. The Government decision of August 1997 approves the inclusion in the budgets for all capital construction projects of up to 1% as funding for an art project, subject to limits as follows:

- Construction projects costing up to €2,550,000 may include an art budget of 1% of net construction costs i.e. €25,500.
- For projects costing between €2,550,000 and €6,300,000, an art budget of 1% up to a maximum of €38,000 is allowed.
- For projects costing between €6,300,000 and €12,700,000, an art budget of €51,000 is allowed.
- For projects costing in excess of €12,700,000, an art budget of €64,000 is allowed.

These figures should not be regarded as an overall limit for art projects as in many cases there may be potential to supplement this with other funding attracted from other sources, (e.g. private sponsorship and pooling of resources, etc.).

Internal funding

Council led internally funded capital construction projects are to contribute funding towards Per Cent in line with the following criteria:

- Projects funded by the Council's Capital Programme with construction costs of between €500,000 and €5 million (ex VAT) will allocate 1% per cent of the amount of the Council's own resources being allocated to the project, subject to a max contribution of €25,000, for the public art programme.
- Any projects on the Capital Programme with construction costs of over €5 million (ex VAT) will make a contribution of €40,000 from the Council own resources being allocated to the project for the public art programme.

Departments are to consider Per Cent eligibility at the earliest stage of the project, and include reference in the Capital Projects Checklist with contribution expected so that consideration is included from the start.

All proposals for public art commissions initiated within the County Council will be brought to the Public Art Steering Group for consideration and approval.

⁷ Ibid

Private Developer-initiated Commissions

Dún Laoghaire-Rathdown County Council recognises the potential for private developers to add to the environment and public realm through public art commissions. The Planning Department may encourage such initiatives with the support and advice of the Arts Office.

Any such initiatives that are derived as part of a planning condition will, so far as possible, be required to follow the National Guidelines on Public Art and the developer will be required to engage the services of an experienced art consultant/curator.

PUBLIC ART STEERING GROUP

The overall make-up of the Public Art Steering Group will be drawn as comprehensively as possible to ensure a broad base of representation and support for the process; and will include elected representatives, Council staff and external arts experts. The role of the Steering Group is to:

- Develop a vision for the County's Public Art Programme – setting out clear aims and objectives for the commissioning programme
- Devise relevant commission briefs for artists, setting out the process for procurement and criteria for selection
- Approve an Assessment Panel for any assessment process
- Approve projects for implementation
- Provide on-going guidance and support during project implementation phase
- Review the programme and feed into the development of County's public art policy and general art policies
- Consider the deaccession of an artwork as per the Decommissioning Guidelines
- Consider proposals/donations separate to Council initiated commissions

The term of the Steering Group will be defined by a number of related factors. Elected Representatives will serve from time of appointment until the next Local Elections when their term of office will end. As Council Officials are nominated by the relevant Director of Service on the basis of their role within the Local Authority, they will remain as long as they hold this office or are designated by a Director of Service. External Advisors are appointed by the Public Art Steering Group for a period of three years and may serve a maximum of two successive terms. It is the responsibility of the Council's Arts Office to identify a short-list of potential candidates for the positions of external advisors; the decision will be made by the Public Art Steering Group members.

The Public Art Steering Group will be comprised of 12 people with a quorum of 6, with at least one Councillor, one Official and One External Advisor present.

The Public Art Steering Group will include:

1. The Chair of the S.P.C. with responsibility for Culture
2. A representative from the S.P.C. with responsibility for Culture,
who is not an elected representative
3. A representative from the Dundrum H.E.P.I. Area Committee
4. A representative from the Dún Laoghaire H.E.P.I. Area Committee
5. Director of Services with responsibility for Culture
6. Senior Parks Superintendent
7. County Architect
8. Senior Planner
9. County Arts Officer
10. Representative from the Public Art Working Group
- 11/12. 2 x external with artistic expertise (e.g. professional arts
practitioner, curator, arts manager)

A representative from the Arts Office will present information to and assist the workings of the Public Art Steering Group.

PUBLIC ART WORKING GROUP

The purpose of the Working Group is to identify commission budget opportunities, both internal and external, and to ensure that applications are made for this funding. The Working Group will include representatives from the following departments/sections:

- Arts Office
- Housing
- Libraries
- Parks
- Capital Projects
- Transportation – Municipal Services
- Capital Projects section – Finance

The Working Group will be responsible for:

- Ensuring that the Per Cent for Art funding is included at initial budget cost approval on any capital scheme
- Notifying the Public Art Steering Group of Per Cent for Art monies generated from central government funded capital construction projects
- Notifying the Public Art Steering Group of Per Cent for Art monies generated from internal capital budgets
- Drawing down and transferring Per Cent for Art budgets from relevant external departments/agencies; and public art funding from internal departments/sections

The Arts Office representative will be responsible for liaising with the Public Art Working Group on a regular basis.

PROCUREMENT PROCEDURES

Commissioning artworks will follow the National Guidelines⁸; the procurement process must be fair, open, transparent and accountable.

There are three options that may be considered in terms of procurement:

- Open competition
- Invited or limited competition
- Direct commission

It is envisaged that direct commission will only be utilised in exceptional circumstances. Where it is believed after a period of research and discussion that a specific artist's practice or work is absolutely appropriate to the aims and objects of the commission, the Public Art Steering Group, working with curators or advisers where required, may appoint that artist directly to a commission or to work with a given budget.

The use of an assessment panel, as outlined below, will be required for all of the outlined procurement methods.

⁸ Ibid, Appendix 3, p44 & 45

DONATIONS & PROPOSALS EXTERNAL TO THE COUNCIL

Proposals to donate or commission artwork to be sited on Council land/property will be considered twice a year and will be subject to assessment by a convened assessment panel. This panel will meet every six months. The County Council also recognises that from time to time public art proposals are brought to the attention of various departments. Proposals of this nature will be considered in the same way as donations and will be assessed twice a year.

The Public Art Steering Group will be responsible for delegating assessment of these proposals to a sub-group of the Steering Group which shall form the assessment panel referred to above. This will consist of four people, a minimum of two of whom will have artistic expertise and one of whom will be an elected member.

Proposals for donations and external commissions to be placed within County Council jurisdiction (excluding developer-led initiatives that are conditioned by the Planning Department) must include the following information:

- A statement of intent detailing why the work is being proposed / offered
- Concept, rationale and nature of the artwork
- Proposed artist or process for selection of the artist including CV and previous examples of other relevant artworks by the artist
- Visualisations of the artwork including relevant technical drawings
- Proposed location for the artwork
- Technical details regarding fabrication and installation
- Value of the artwork
- Details of funding and source of funds
- Care and maintenance requirements and compliance with health and safety requirements
- Note if planning permission will be required

The County Council may request further information as deemed necessary to make a considered decision on the proposal. Criteria for assessment will include artistic merit, quality, prior relevant experience of the artist(s), suitability to the site and context, cost implications (if relevant) and on-going maintenance.

Accepted donated work will be subject to a formal agreement outlining the responsibilities of both the County Council and the donor. It should be noted that donations will be subject to normal planning and development conditions as defined in the Dún Laoghaire-Rathdown County Council County Development Plan.

A formal agreement / contract will be drawn up setting out the conditions for the acceptance of donations including the responsibilities of each party (the local authority, sponsor, artist, outside contractors, etc.). This formal

agreement will address project funding, project supervision, fabrication, transport, installation, transfer of title, maintenance, mediation, education, intellectual rights/ copyright, decommissioning and other issues as necessary.

Appeals will only be considered where a claim is made that the panel's consideration of a proposal was procedurally unfair, unreasonable or inadequate. The Local Authority will then re-check procedural matters. No appeals will be considered on the grounds of the panel's aesthetic evaluation of an existing or proposed work.

All work will be subject to the County Council Public Art Decommissioning Guidelines.

ASSESSMENT PANELS

The Assessment Panel for any public art commission or programme of commissions will be appointed by and must include member(s) of the Public Art Steering Group. The panel should consist of a minimum of three people and must include at least one member of the Public Art Steering Group, an elected representative and an external art professional. Depending on the size and nature of the commission, a larger selection panel with additional expertise may be required, for example technical expertise (engineer, architect) and/or local stakeholders or community representation. If a selection panel has four or more members, the number of participants with artistic expertise should be increased.⁹ The Public Art Steering Group, via the Arts Office representative, will ensure that all necessary artistic and technical advice is available to the panel.

The Assessment Panel will be required to:

- Undergo briefing on the scope of the capital project funding for the public art commission, if applicable
- Review the aims and objectives of the commission
- Review criteria for submissions, as outlined in the artist's brief
- Attend artist presentations (when relevant)
- Work through submissions / applications responding to artist's brief/ display of interest
- Assess submissions and recommend project(s) for development and/or realisation

⁹ Ibid

DECOMMISSIONING OF WORK

Dún Laoghaire-Rathdown County Council recognises that not all artworks have an indefinite lifespan, and some may become unsuitable for display in a particular location either because of changes in the surrounding context or deterioration of the artwork. The County Council has developed comprehensive guidelines around the decommissioning of work that will be adhered to by all departments. Respect for the artist, the artwork and the community where the work is sited will form an integral part of any decision making process. In cases where an artwork is identified as presenting a real risk to public safety, this will be the overriding factor in any decision making around the removal of a work. In such cases, the Council's Arts Office, in consultation with relevant health and safety personnel, will be responsible for making such decisions.

MAINTENANCE

The lifespan of a permanent work is defined as 8 years and the status of an artwork may be reconsidered after this time.

Display of works in storage: following the adoption of this policy, the Public Art Steering Group shall review works in storage with a view to resolving their long term status and displaying these where suitable and appropriate.

The Arts Office will be responsible for securing independent professional advice with relation to the maintenance of the public art collection on an on-going basis.

Maintenance of works sited in parks and the public realm will fall under the remit of the Parks Department; the Arts Office will provide advice as required.

The Arts Office will be responsible for coordinating the maintenance of the remainder of the public art collection in conjunction with the relevant internal department/section.

The Council will allocate an annual budget to fund the on-going maintenance of public art works owned, commissioned and cared for by the County Council.

An offer from a third party, external to the Council, to fund the repair of an existing artwork will be welcomed; the Public Art Steering Group will be responsible for making a determination on such offers.

DOCUMENTATION & PROMOTION

The County Council will endeavour to record a substantial archive of the public art collection to date and, going forward, to document new commissions.

A comprehensive PR and marketing campaign will be undertaken during the lifetime of this policy.

The life of the Policy is 2018-2025. A mid-term review of the Policy will take place during its lifespan.