

**REPORT TO: PLANNING AND TRANSPORTATION COMMITTEE –
2 DECEMBER 2002**

REPORT ON: PERCENT FOR PUBLIC ART

REPORT BY: DIRECTOR OF PLANNING AND TRANSPORTATION

REPORT NO: 582-2002

1 PURPOSE OF REPORT

- 1.1 To adopt a policy that furthers the development of Public Art in Dundee by ensuring that developers who are involved in major building construction projects, particularly in areas well populated and frequented by and visible to the public, contribute to the environment by allocating at least one percent of their construction costs' budget to the inclusion of the arts.

2 RECOMMENDATIONS

- 2.1 The Committee agrees to adopt the Percent for Public Art Policy and Guidelines as part of the emerging Dundee Local Plan Review.
- 2.2 The committee refers these Guidelines to the Development Quality Committee as a material consideration in determining applications for planning consent.

3 FINANCIAL IMPLICATIONS

- 3.1 There are no direct financial implicaitons to the Council as a result of this Report.

4 LOCAL AGENDA 21 IMPLICATIONS

- 4.1 The inclusion of the Public Arts meets a key theme of Dundee 21:
"Places, spaces and objects combine meaning and beauty with utility".

5 EQUAL OPPORTUNITIES IMPLICATIONS

- 5.1 Not applicable.

6 BACKGROUND

- 6.1 The Dundee City Council has approved a draft Public Art strategy, at the Planning and Transportation Committee of October 2001 to ensure the continued success of the Public Art Programme. As part of that strategy, the intention is to develop a Percent for Public Art Policy for the city.
- 6.2 The development of a 'Percent for Public Art Policy' is identified in the Dundee Local Plan 2002 Consultative Draft.
- 6.3 Dundee City Council is committed to high quality environmental design and the involvement of the arts, and has initiated a number of successful Public Art projects. This policy is designed to further the development of Public Art in Dundee by

ensuring that developers who are involved in major building construction projects, add to the city's culture and heritage.

- 6.4 Recent large retail developments, ie Overgate and Kingsway West Retail Park show that developers are willing to contribute by the inclusion of arts projects within their developments. Developers are aware of the aspirations of many UK local authorities in their attempts to work with developers and architects/designers to achieve better standards and increases in amenity value.
- 6.5 Percent for Art is an internationally held principle, widespread and well established in Western Europe, Australia and the USA as a valid means of promoting quality in the environment through art. In all cases, it is a scheme whereby a proportion of the capital costs of a new development, refurbishment or landscaping scheme is allocated to commission works of art to be integral to the site.
- 6.6 Some examples of the growth and commitment to the percent for art principle:
- UK: Swindon, Sheffield, Glasgow, West Midlands are a few of the local authorities that operate a form of Percent for Art policy.
 - Canada: 1964 saw 'The One Percent to the Peoples' schemes introduced. By 1976, two hundred works had been created for the benefit of 104 communities.
 - Netherlands: There are two schemes, the 1% and the 1.5%. The 1.5% law requires that percentage of the cost of construction of new public buildings be allocated for the commissioning of works of art.
 - Finland: An informal 1% rule applies in all towns.
 - West Germany: A sliding scale (0.5 – 2%) must be allocated from new building costs.
 - USA: Percentage for art legislation has been enacted in more than 20 states, 36 cities/counties, and has been introduced for consideration in a number of others.

7 AIMS AND OBJECTIVES

- 7.1 The main objective of the Dundee City Council's Percent for Public Art Policy is the requirement that developers proposing developments over the value of £1,000,000, provide at least 1% of the developments construction costs to Public Art.
- 7.2 In this way, developers can enhance and humanise major new construction developments by:
- Providing high quality art in publicly accessible spaces;
 - Creating unique, exciting, harmonious and people friendly spaces, streets and developments.
 - Increase the heritage and cultural value of the city.

8 THE PERCENT FOR PUBLIC ART POLICY

8.1 All new development in Dundee with construction costs of £1,000,000 or over will be required to allocate at least 1% of the construction costs for the inclusion of an art project/s in a publicly accessible/visible place or places within their development. The implementation of the policy will be delivered through the development control process by the imposition of appropriate conditions on planning permissions and for the conclusion of legal agreements.

8.2 Developers will be required to ensure that the artworks produced will be of high quality and suitable for their situation.

8.3 In situations where this policy would bring little or no public benefit, developers will be given the opportunity to request a relaxation of the policy on the basis that:

- their developments are not in highly populated areas nor visited areas, nor visible from areas frequented by large numbers of people.
- that the opportunities for arts projects are diminished by location constraints and that their budget allocation should be reduced accordingly.

The Planning and Transportation Department will assess the validity of such requests.

9 CONSULTATIONS

9.1 The Chief Executive, Director of Finance, Director of Support Services, Director of Corporate Planning, and the Director of Leisure and Arts, have been consulted and are in agreement with the contents of this report.

10 BACKGROUND PAPERS

10.1 Policy Paper "Facilitating the Arts" Article II agreed by the Planning Committee on 21 November 1994.

10.2 Strategy "Public Art Strategy for Dundee", draft approved by the Planning and Transportation - October 2001.

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