

## ABERDEEN CITY COUNCIL

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<b>COMMITTEE</b>	Finance and Resources Committee
<b>DATE</b>	7th December 2022
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Public Art Guidance and Panel
<b>REPORT NUMBER</b>	COM/22/268
<b>DIRECTOR</b>	Gale Beattie
<b>CHIEF OFFICER</b>	Richard Sweetnam
<b>REPORT AUTHOR</b>	Elspeth Winram
<b>TERMS OF REFERENCE</b>	2.1.2

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### 1. PURPOSE OF REPORT

- 1.1 To approve the improvement/transformation of service delivery and to establish the Public Art Panel Aberdeen (PAPA), which will be guided by the Public Art document to respond to all matters regarding public art the Council receive.

### 2. RECOMMENDATION(S)

That the Committee:-

- 2.1 Approves the establishment of the Public Art Panel Aberdeen (PAPA), and the delegated power to the Chief Officer- City Growth develop appropriate Terms of Reference for the panel; and
- 2.2 Approves the Public Art (PA) document provided in Appendix 1 to this report as the Council's guidance and process on the matter of public art requests, commissions and caretaking.

### 3. CURRENT SITUATION

- 3.1 Public art projects, permanent and temporary have been part of Aberdeen's civic space for many years. For example, Marischal College Quad, Marischal Square and other city centre sites have been locations for Andy Scott's Poised, Robert the Bruce, Denis Law's statues and temporary installations.
- 3.2 Currently there is no single resource to provide advice to anyone developing a public art project, and enquiries are sent to multiple services who may have responsibility for providing permissions or approvals for aspects of a proposal. This requires coordination as information, advice and guidance is gathered and provided to the persons who made the initial enquiry.
- 3.3 At the same time, there has been an increase in the number of community areas, groups and individuals that would like to develop public art projects.

- 3.4 It is also important that as proposals are developed, responsibility and the legal, reputational or maintenance costs of the artwork once installed is considered.
- 3.5 In response, officers are proposing a guide that the Council can draw on when considering the commissioning and caretaking of public art in Aberdeen, by setting out clear objectives for public art, a clarification of policies, process, and advice on implementation. Officers have developed the Guidance (included in Appendix 1 to this report).

### **Consultation**

- 3.6 Officers from City Growth, Strategic Place Planning and the Council’s Equalities team developed the draft guidance, it was sent to Culture Aberdeen, Creative Scotland, Aberdeen Inspired and to the public, for further consultation using Citizen Space. The document had 202 views and 19 anonymous comments were received (comments provided in Appendix 2 to this report).
- 3.7 Based on the feedback, officers are also recommending the establishment of a ‘public art panel’ that would be comprised of relevant officers and the point of contact to public art enquiries. Separate, and where appropriate, planning applications will still be required.

## **4. FINANCIAL IMPLICATIONS**

- 4.1 There are no direct financial implications arising from the recommendations of this report. While there are implications in relation to staffing, the proposals are designed to improve the efficiency of the process and reduce the time spent currently.

## **5. LEGAL IMPLICATIONS**

- 5.1 There are no direct legal implications arising from the recommendations of this report.

## **6. ENVIRONMENTAL IMPLICATIONS**

- 6.1 There are no direct environmental implications arising from the recommendations of this report.

## **7. RISK**

<b>Category P</b>	<b>Risks</b>	<b>Primary Controls/Control Actions to achieve Target Risk Level</b>	<b>*Target Risk Level (L, M or H)</b> <small>*taking into account controls/control actions</small>	<b>*Does Target Risk Level Match Appetite Set?</b>
<b>Strategic Risk</b>	No risks identified.	None	L	Yes

<b>Compliance</b>	<p>A public art project progresses and there has been no consideration made in regard to planning permission, licences or permits.</p> <p>Through the public art application process there is risk re data protection and GDPR compliance.</p>	<p>The PAPA panel and PA guidance would recommend that proposals comply with the required planning permission, licences or permits.</p> <p>PAPA panel would carry out a data assessment to ensure there is data protection and GDPR compliance.</p>	<p>L</p> <p>L</p>	<p>Yes</p> <p>Yes</p>
<b>Operational</b>	<p>Staff time if more applications are received and there is not a coordinated approach.</p>	<p>The PAPA panel and PA guidance will ensure that applicants receive a response in a clear timely way. The guidance will support applicants to make sure all aspects of a project has been considered.</p>	<p>L</p>	<p>Yes</p>
<b>Financial</b>	<p>A public art project progresses and there has been no consideration made in regard to maintenance and repair.</p>	<p>The PAPA panel and PA guidance would recommend that proposals consider the costs associated with the maintenance and repair of the artwork.</p>	<p>L</p>	<p>Yes</p>
<b>Reputational</b>	<p>A public art application is approved and at a later date</p>	<p>The PA Guidance informs the good practice, and the</p>	<p>L.</p>	<p>Yes</p>

	the Public Artwork is deemed unsuitable.	panel, that applicants should undertake consultations, alongside their application, to receive feedback from the public.		
<b>Environment / Climate</b>	Public art projects are progressed without consideration of impact on the environment.	The PAPA panel and PA guidance would recommend that proposals consider the impact on the environment.	L	Yes

## 8. OUTCOMES

<u><b>COUNCIL DELIVERY PLAN</b></u>	
<b>Impact of Report</b>	
<b>Aberdeen City Council Policy Statement</b>  <b>Aberdeen City Council's Partnership Statement Art Matters</b>	<p>The proposals within this report will ensure that the Public Art Panel and Guidance can contribute to increasing footfall through delivery of the City Centre Masterplan, Economy, Policy Statement 2.</p> <p>Our city should become distinguished by the range and depth of active creative expression and artistic enjoyment experienced by those who live here and by visitors.</p>
<u><b>Aberdeen City Local Outcome Improvement Plan</b></u>	
Prosperous Economy Stretch Outcomes	NA
Prosperous People Stretch Outcomes	NA
Prosperous Place Stretch Outcomes	NA
<b>Regional and City Strategies</b> <b>Regional Economic Strategy 2018-2023</b>	<p>The proposals within this report will support the; Regional Economic Strategy 2018-23, Internationalism via the Delivery and marketing of cultural, heritage and tourism attractions.</p>

<p><b>Culture Aberdeen strategy 2018-28</b></p> <p><b>The City Centre Masterplan</b></p> <p><b>Local Development Plan</b></p>	<p>Culture Aberdeen strategy 2018-28. Ambition 3, empowering through culture. Celebrating culture as part of every community is essential to our lives and wellbeing.</p> <p>Aberdeen City Council’s City Centre Masterplan, Public Realm Strategy Light the North, Places for People.</p> <p>The Local Development Plan, 3 Delivering Sustainable Communities, Quality Placemaking by Design. 3.2 Quality placemaking is about creating development that sustains and enhances the social, economic, environmental and cultural attractiveness of the city as a place to be and is a material consideration in determining applications.</p>
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## 9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	Full impact assessment not required (Pre-screening document Appendix 3)
Data Protection Impact Assessment	Not required.
Other	

## 10. BACKGROUND PAPERS

10.1 None

## 11. APPENDICES

11.1 Public Art Guidance

11.2 Comments from Public Consultation

11.3 Pre-Screening Integrated Impact Assessment

## 12. REPORT AUTHOR CONTACT DETAILS

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