

Executive Board
20 September 2022

Subject:	Corporate Policy on Statues, Monuments and Public Art
Corporate Director(s)/Director(s):	Frank Jordan, Corporate Director for Resident Services Hugh White, Director for Sport and Culture
Portfolio Holder(s):	Pavlos Kotsonis, Portfolio Holder for Leisure, Culture and Planning
Report author and contact details:	Geoff Oxendale, Policy and Performance Officer geoff.oxendale@nottinghamcity.gov.uk
Other colleagues who have provided input:	Paul Seddon, Director for Planning and Regeneration Nigel Hawkins, Head of Culture and Libraries James Schrodell, Policy and Performance Manager Scott Talbot, Road Safety and Highway Development Service Manager Steve Sprason, Head of Property
Subject to call-in: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Key Decision: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Criteria for Key Decision:	
(a) <input type="checkbox"/> Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £750,000 or more taking account of the overall impact of the decision	
and/or	
(b) Significant impact on communities living or working in two or more wards in the City	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Type of expenditure: <input type="checkbox"/> Revenue <input type="checkbox"/> Capital	
Total value of the decision: Nil	
Wards affected: All	
Date of consultation with Portfolio Holder(s): 1 August 2022	

Relevant Council Plan Key Outcome:

Clean and Connected Communities	<input checked="" type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input type="checkbox"/>
Child-Friendly Nottingham	<input type="checkbox"/>
Healthy and Inclusive	<input type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input type="checkbox"/>
Financial Stability	<input type="checkbox"/>
Serving People Well	<input type="checkbox"/>

Summary of issues (including benefits to citizens/service users):

This report sets out a new corporate policy to aid decision-makers in assessing proposals for new statues, monuments and public art to be installed on land owned by the Council. It will provide a clear process for applicants to follow and a consistent approach to assessing applications.

Does this report contain any information that is exempt from publication?

No

Recommendation(s):

1. To approve the new corporate policy and process for assessing proposals for new statues, monuments and public art to be installed on land owned by the Council, including the new application form.

1. Reasons for recommendations

- 1.1 The recommendations close an existing gap in the Council's policies and set out a clear process for assessing applications for new statues, monuments and public art to be installed on land owned by the Council.

2. Background

- 2.1 The policy (as set out in Appendix 1) has been developed to set out a decision-making process for the Council to assess proposals where new statues, monuments and public art are to be installed on Council-owned land. It sets out criteria by which proposals will be assessed and clearly outlines the requirements placed on applicants who put forward these proposals.
- 2.2 The policy has been developed alongside policies covering street naming and numbering, and an ongoing assessment of existing statues and monuments within the City, to ensure that the same principles run throughout these pieces of work. This approach will ensure consistent and robust policies are in place to direct the

Council's response to residents' concerns around existing names and structures and to provide guidance to ensure that proposed names and structures best celebrate the City's heritage and culture in a way that is compatible with a modern, diverse City.

- 2.3 Applicants will be asked to outline practical aspects of their proposal, such as how they will meet the costs related its installation and ongoing maintenance. They will also need to consider the aesthetic and cultural aspects of their application and to demonstrate a degree of community support for it. The policy also outlines how the criteria to be met will vary depending on the proposed location, with the strictest criteria and the highest levels of support required for installations at the most prominent sites in the City.
- 2.4 The policy sets out a process of pre-application consultation with officers in the Culture service area, before an application form (as set out in Appendix 2) is submitted. The final decision will be taken by the Portfolio Holder with the remit covering Culture, with support from Ward Councillors, other relevant Portfolio Holders and officers and, if necessary, organisations such as One Nottingham or a Citizens' Panel.
- 2.5 It should be stressed that the policy sets out the Council's opinion as the land owner of the site. Plans will still be subject to the statutory Planning system and applicants will also need to apply for Planning Permission.
- 2.6 The policy only covers applications on land owned by the Council and not installations on privately-owned land.
- 2.7 Consideration was given to similar policies developed by other Local Authorities in Camden, Leeds, Vale of White Horse and Birmingham. The Application Form was developed from a form used by Birmingham City Council.

3. Other options considered in making recommendations

- 3.1 To not develop the new policy: this option is rejected as the proposed approach will ensure consistent and robust policies are in place to direct the Council's response to residents' concerns around existing names and structures and to provide guidance to ensure that proposed names and structures best celebrate the City's heritage and culture in a way that is compatible with a modern, diverse City.

4. Consideration of Risk

- 4.1 Reputational risks: the policy seeks to avoid reputational risks to the Council. It stresses the importance of community support for installations, particularly for those in prominent locations. Initially, this support should be gathered by the applicant, but some applications may require the Council to convene a Citizens' Panel to support its decision-making. The policy also adopts a principle used by English Heritage that installations commemorating an individual should only be considered 20 years after their death, although this principle can be waived where there is exceptional public support.

4.2 Financial risks: the policy requires applicants to demonstrate how they will finance the installation and ongoing maintenance of their proposal and stresses that the Council will not contribute to the financing of the project. It also asks applicants to consider what should happen to the installation at the end of the agreed maintenance period.

5. Finance colleague comments

5.1 There are no direct financial implication as part of this report. The policy requires applicants to demonstrate how they will finance the installation and ongoing maintenance of their proposal and stresses that the Council will not contribute to the financing of the project. It also asks applicants to consider what should happen to the installation at the end of the agreed maintenance period. This should be adhered to at all times and assessed in the appropriate manner, in consultation with relevant officers at the application stage, to ensure that no financial burden and future financial liabilities are placed upon the Council.

Comments provide by Phil Gretton, Strategic Finance Business Partner, on 26 August 2022.

6. Legal colleague comments

6.1 This policy is a non-statutory policy that sets out the principles and framework that the Council will use to determine applications for statues, monuments or public art on its land.

6.2 Approval under this policy is not a grant of Planning Permission and does not negate the need for Planning Permission, and does not automatically mean that the statue, monument or public art will be acceptable in Planning terms. Approval under this policy is not a consent to cite the statue, monument or public art on Council-owned land, this will need to be subject to the appropriate application and consent once the appropriate application and Planning Permission have been sought.

6.3 This Policy went to the Overview and Scrutiny Committee on 3 August 2022 and the Committee made recommendations to the Executive in respect of the policy.

Comments provide by Beth Brown, Head of Legal and Governance, on 12 August 2022.

7. Property colleague comments

7.1 Where installations are sited on designated open space, this may be considered a disposal or change of use/appropriation. Advice would be needed on a case-by-case basis to ensure that any transfer of land or assets in undertaken in accordance with the Council's policies and procedures. Furthermore, the Council should retain the right to move the installation to another site if necessary, and ensure that robust arrangements are in place to govern the future maintenance of the installation and site.

Comments provided by Steve Sprason, Head of Property, on 23 August 2022.

8. Crime and Disorder Implications

- 8.1 The potential for vandalism and negative impacts on community cohesion are to be active considerations in the decision-making process. Applicants will be expected to provide ongoing financial support to cover maintenance and cleaning of the installation.

9. Social value considerations

- 9.1 The policy encourages the development of public art that celebrates the City's heritage and culture in a way that is compatible with a modern, diverse City.

10. Equality Impact Assessment (EIA)

- 10.1 An EIA is not required because this decision does not represent proposals for a new or changing policy, service or function. Individual applications may require an EIA to be produced.

11. Data Protection Impact Assessment (DPIA)

- 11.1 A DPIA is not required because no personal identifiers are being collected as part of the proposals.

12. Carbon Impact Assessment (CIA)

- 12.1 A CIA is not required because there are no carbon impact implications to the policy. Individual applications may require a CIA, and the policy favours installations with low carbon impacts or where mitigations are put in place to offset the carbon impacts.

13. List of background papers relied upon in writing this report

- 13.1 None.

14. Published documents referred to in this report

- 14.1 Artworks and memorials in parks, open spaces and the public realm in Camden
- 14.2 Camden Planning Guidance, Artworks, statues and memorials, April 2019
- 14.3 Birmingham Public Art Strategy, 2015-2019
- 14.4 Planning and Public Art – Supplementary Planning Guidance, Adopted by Vale of White Horse Council, July 2006
- 14.5 A review of statues in Leeds in response to Black Lives Matter, October 2021