

WEST OF WATERLOOVILLE FORUM

13 September 2011

WINCHESTER CITY COUNCIL CABINET

12 October 2011

DEPLOYMENT OF DEVELOPERS' ART CONTRIBUTIONS AT WEST OF WATERLOOVILLE

REPORT OF ASSISTANT DIRECTOR (ECONOMIC PROSPERITY) (WCC) AND ECONOMY AND COMMUNITY MANAGER (HBC)

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RECENT REFERENCES:

None

EXECUTIVE SUMMARY:

The Section 106 Agreement for the West of Waterlooville Major Development Area (MDA) specifies a Contribution for Art from both Taylor Wimpey and Grainger totalling £400,000. The Art Contribution can be used for a wide range of schemes and initiatives intended to enhance the built environment, support community cohesion and wellbeing, and contribute towards a positive local identity in the development area. The first payment trigger for Taylor Wimpey has been reached this summer, and £90,000 has now been paid to Winchester City Council in respect of this Contribution.

Officers from Winchester City Council and Havant Borough Council had already been considering the most effective way to deploy the Art Contribution, bearing in mind the staffing capacity of both Councils and the need to show both impact and value for money for the Contribution. This report sets out a suggested approach to delivering the Art Programme, and seeks Member approval so that officers can begin to implement it with immediate effect.

## RECOMMENDATIONS:

To the West of Waterlooville Forum:

- 1 That the approach to deploying and managing the West of Waterlooville Art Contribution set out in section 4 of this report be recommended to Winchester City Council's Cabinet for approval;
- 2 That the Panel nominate one Member from Winchester and one Member from Havant to sit on the proposed Arts Advisory Panel, described in paragraph 4.1 of this report.

To Winchester City Council's Cabinet:

1. That the approach to deploying and managing the West of Waterlooville Art Contribution set out in section 4 of this report be approved for immediate implementation;
2. That the financial allocations set out in section 7 of this report be approved and released for spending in the current financial year, under the supervision of the Assistant Director (Economic Prosperity) of Winchester City Council.

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## DEPLOYMENT OF DEVELOPERS' ART CONTRIBUTIONS AT WEST OF WATERLOOVILLE

### REPORT OF ASSISTANT DIRECTOR (ECONOMIC PROSPERITY) (WCC) AND ECONOMY AND COMMUNITY MANAGER (HBC)

#### DETAIL:

#### 1 Introduction

- 1.1 Members of the West of Waterlooville Forum are already very aware that it takes time and careful planning to transform the influx of residents in a new development area into a cohesive community. West of Waterlooville presents an obvious challenge, in terms of its eventual size which may feel strange or even daunting for new residents, with no real 'sense of place' in the early stages. The development needs to be integrated into the local geography, in terms of the attitudes of residents in neighbouring settlements. And it is already clear that there is a divide between some home owners and some residents who rent, who have different expectations for their neighbourhoods, and come from very diverse family backgrounds.
- 1.2 Support for residents moving into the area is already being co-ordinated through Winchester City Council's Community Development Team, and indeed many of the specific needs and characteristics of the new community are reflected in the Section 106 (S106) Agreement drawn up with both Taylor Wimpey and Grainger. The Agreement requires the two developers to provide for the emerging needs of this new community, through – among other things - Art, Leisure, Employment and Play facilities.
- 1.3 This report considers in particular the S106 Contribution to Art, and the potential of this money to support the development of a strong, safe and active community at West of Waterlooville. It seeks Member approval for an approach to deploying these funds in an effective and pragmatic way.

#### 2 Art and the S106 Agreement

- 2.1 The phrase 'public art' has often been used in S106 agreements, and in the past it has meant just that – statues or fountains, or perhaps additional design

features incorporated into the architecture. However, when the Agreement for West of Waterlooville was negotiated, the two Councils were careful to ensure that the money could be used for a wide range of purposes with a clear emphasis on community-building and place-shaping initiatives. For ease of reference, the clause relevant to the allocation of money for art is included here:

*“The Percentage for Art Contribution shall be used by the Relevant Authority for supporting arts development initiatives to promote the arts both within the MDA Development and the immediate vicinity to assist integration of the MDA Development into its surroundings and shall include, but without prejudice to the generality thereof, the commissioning and installing and maintenance where appropriate works of art of a permanent or temporary nature and/or payments of grants or other costs to artists or the employment of persons engaged in promoting community art initiatives within the MDA Development with the aim of improving community well-being.”*

- 2.2 The agreement stated that this contribution was to be made on a pro-rata basis according to the number of dwellings, with the developers paying to Winchester City Council the sum of £300,000 and to Havant Borough Council £100,000. It is clear from the documentation and discussions with developers that all of this money is to be used at the discretion of the two councils in the development area to support a range of arts-based commissions, facilities, projects and activities, both permanent and temporary. These schemes will enhance the built environment, support community cohesion and wellbeing, and contribute towards a positive local identity in the development area.
- 2.3 Payment of the Art Contribution is phased over the construction period for both developers, triggered by agreed levels of house sales as shown in Appendix 1 of this report. The first payment of £90,000 from Taylor Wimpey has now been paid over because the 100<sup>th</sup> house has been sold and occupied.
- 2.4 The full Art Contribution is to be held by Winchester City Council as ‘banker’, but allocated through a partnership approach agreed by both Councils.

### 3 The Current Situation

- 3.1 Given the size and scope of the Art Contribution, it was always anticipated that some additional capacity would be required to deliver an effective programme of initiatives for West of Waterlooville. However, following recent reductions in headcount at both Councils there is no longer a permanent Arts Officer at either Winchester or Havant, creating a further capacity challenge.
- 3.2 Officers have developed an outline approach which takes into account these capacity issues. It seeks to keep to a reasonable level the amount spent on managing the Art Programme so as to maximise the amount spent on activities and initiatives which are of direct benefit to residents.

## 4 Proposed Approach

### 4.1 Phasing

Officers believe there are three phases to the deployment of the Contribution as follows:

a) *Initiation*: officers will establish an Arts Advisory Panel consisting of officer and Member representatives of both Councils; the developers; local residents and the Community Officer (Newlands). Other key stakeholders could be included, although it would be sensible not to make the Panel too big and to keep it relatively informal. This Panel, which would have clear terms of reference, would oversee the practical delivery of the arts programme, including the development of the strategy in (b) below, and report back to the West of Waterlooville Forum as appropriate.

Timescale: September – October 2011

b) *Strategy*: in order to ensure that the Art Contribution is spent in a way which secures the best long term results for the West of Waterlooville community and surrounding settlements, it is proposed that a brief strategic document be drawn up. The strategy will ensure that funds are efficiently deployed, and that local people are effectively engaged. It will be informed by consultation and an understanding of the site, and by artistic experience. It will set out a vision and objectives for what is to be achieved; an assessment of some of the most promising opportunities already emerging (Appendix 2 refers); and a 'phase one' action plan for the Taylor Wimpey contribution.

The strategy will also provide an opportunity to review the existing community development strategy for the site, and potentially to integrate the two in one holistic approach.

Finally, it will reduce the temptation for *ad hoc* spending by any of the parties (eg on one-off schools' competitions) which – based on past experience – is more likely to be focussed on public relations or marketing for the site than on building a strong community.

The commissioning of the strategy and action plan would be carried out by officers of the two Councils, in consultation with the new Panel.

Timescale: Commission November – December 2011

Strategy produced by March 2012

c) *Implementation*: with the strategy in place, the next step would be to start implementing the action plan for this first tranche of funding. With multiple projects involved, potentially covering a number of different art and design disciplines, the implementation period will be busy and complex. It will involve researching and contracting appropriate organisations to deliver individual projects, together with wider co-ordination, budget monitoring,

communications and other programme management activity, which cannot be absorbed by existing Council officers. It is therefore proposed to commission an individual ('lead artist') or organisation which can oversee this delivery, and ensure that it is fully integrated with other programmes on the MDA, particularly the work of the Community Officer (Newlands). The Arts Panel will support officers from the two councils in the process of selection, consultation and implementation of this commission, and oversee the work of the selected individual or organisation to ensure that it leads to appropriate and good quality work for the MDA.

Timescale: Year one action plan implemented April 2012 – March 2013.

#### 4.2 Principles

A number of important principles should also be established at the outset, including:

- a) the allocation of Art Contribution funds will be directed in the best interests of the West of Waterlooville community, and not dictated by local authority or developer boundaries;
- b) the strategy for the Art Contribution will be fully integrated with other community development work on the site;
- c) arts commissions and activities should celebrate unique aspects of the area, including local history or natural features. They should aim to bring together new and old residents through a range of social and cultural initiatives which create a sense of belonging and pride;
- d) commissions and activities, whether temporary or permanent, should aim to involve, enhance, uplift and excite residents and businesses in the development area. Projects which are challenging or even a little controversial at the outset should not be avoided, bearing in mind that many great artworks and buildings which are now popular were disliked at the time they were made and these often have the greatest power to bring communities together;
- e) all briefs, selections and proposals will involve local people through open discussions, consultations and exhibitions to ensure coherence with and sensitivity to other local priorities;
- f) commissions will be based on Winchester City Council's ['commissioning approach'](#), which seeks to encourage innovative responses, new partnerships, new suppliers and value for money in achieving results for residents;
- g) the approach and timeline outlined in section 4.1 should not preclude the option to take advantage of good opportunities which need to be addressed more immediately because of the wider build programme or other technical reasons. Such opportunities will be few

in number but could and must be agreed by the Arts Advisory Panel in advance.

## 5 Conclusion

- 5.1 Members are asked to consider the approach to deploying the Art Contribution outlined in section 4 of this report, and to approve it as a basis for deploying the Taylor Wimpey contribution of £90,000 already received.
- 5.2 Members will be invited to make a decision about the delivery of the next phase of the Art Programme once the Grainger Art Contribution is paid over, at this point the success of this first stage approach can be reviewed and alternative arrangements or improvements can be made as required.
- 5.3 The Panel is asked to refer this report to Winchester City Council's Cabinet with any relevant comments. Officers of Havant Borough Council will be seeking any necessary approvals through the relevant Portfolio Holder, in line with usual practice.

## OTHER CONSIDERATIONS:

### 6 SUSTAINABLE COMMUNITY STRATEGY AND CHANGE PLANS (RELEVANCE TO):

- 6.1 The aspirations for the Art Contribution for the West of Waterlooville MDA directly support the Active Communities outcome of the Sustainable Community Strategy for the Winchester District. The approach set out in this report would support the first theme of this outcome, which states:  
  
*"People play an active role in their community and help shape how resources are used to deliver local services."*
- 6.2 Havant's Sustainable Community Strategy seeks to improve quality of life by focussing on the individual, the family, the community and the environment. The art contribution for the West of Waterlooville MDA would support the aims of:
  - encouraging the development of the mind, body and spirit of the individual, and;
  - creating a community that is a good place to belong, and a play to enjoy

## 7 RESOURCE IMPLICATIONS:

- 7.1 The Art Contribution is a ring-fenced fund, which has to be spent in accordance with the S106 Agreement. It does not have any financial impact on other Council budgets, but there is an implication for officer/management time in delivering the programme, which will not be charged to the fund. During 2011, both councils lost their Arts Development Officers who, in this

current financial climate, have not been replaced. Therefore, neither Council has scope to absorb any actual costs arising from the programme within existing budgets.

- 7.2 Although every effort will be made to keep costs to a minimum, full community engagement will only be achieved by making some monies available for public exhibitions, publicity materials, hall hire for meetings/workshops, the printing of leaflets and/or creation of social networking sites and so on. These are an integral part of running the programme.
- 7.3 The first tranche of £90,000 has been received from Taylor Wimpey and would fund the steps set out in paragraph 4.2a of this report as follows:
- |         |  |
|---------|--|
| £5,000  | Commission for Art Strategy for West of Waterlooville  |
| £16,000 | Commissioning of WoW Arts Programme delivery body or individual to manage the programme on a day-to-day basis  |
| £2,500  | Hall hire, exhibition panels, animation, printing, communications and other expenses to support delivery of the Programme  |
| £66,500 | Budget for arts projects and commissions. This will include a modest allocation to support ongoing repair and maintenance of key art works or installations to avoid unexpected charges on Council budgets in future. This would be based on lessons learnt from other pieces of public art in the district. |
- 7.4 Any interest which accrues during the time Winchester holds these contributions will be added to the Arts Fund.
- 7.5 Based on the principle set out at paragraph 4.2b above, it is not important that this first tranche of funding is being used to pay for the development of a strategy which covers the whole site because it is certain that at a future point some of the Grainger Contribution will fund activities on the Taylor Wimpey portion of the site.
- 7.6 Winchester City Council is currently the Accountable Body for the LEADER rural funding programme on behalf of DEFRA, for which the permitted staff/administration overheads are 20%. The standard percentage allowed for such an overhead in other public art projects is 20%. The cost of commissioning a body or individual to oversee the delivery of Arts Programme proposed above (£16,000) is less than this, at 18% of the £90,000 budget. Without any professional arts capacity to draw on in house at the present time, officers believe it would not be sensible to reduce the allocation.
- 7.7 It should be noted that the total Art Contribution will in fact be more than the £400,000 stated in paragraph 2.2 because the total number of dwellings will



now be greater (by 1,000) than first anticipated. Any additional monies will continue to be used to deliver the Strategy for Arts and Community Engagement referred to in paragraph 4.1 above.

## 8 RISK MANAGEMENT ISSUES

8.1 The proposals put forward in this report are designed to manage the key risks associated with the Art Contribution for the West of Waterlooville MDA. These are:

- a) failure to spend the Contribution in accordance with the S106 Agreement, resulting in a legal challenge from the developers which could result in repayment of the money and/or lack of funds to spend on community building initiatives in the development area;
- b) failure to spend the Contribution in a way which brings about the desired results of “*enhancing the built environment, supporting community cohesion and wellbeing, and contributing towards a positive local identity in the development area*”, which could lead to longer term problems for the residents of West of Waterlooville and the agencies and organisations which work with them.

### BACKGROUND DOCUMENTS:

West of Waterlooville Section 106 Agreement, available from S106 Officer in WCC Planning Management Team

### APPENDICES:

Appendix 1 - S106 Contributions for Art/Leisure/Employment and Play: West of Waterlooville MDA

Appendix 2 - Initial Indications of Appropriate Sites for Arts Commissions

**Appendix I - S106 Contributions for Art/Leisure/Employment and Play: West of Waterlooville MDA**

Taylor Wimpey

<b>Deliverable</b>	<b>Trigger</b>	<b>Recipient</b>	<b>Dates for delivery</b>
Leisure Centre Contribution	Prior to occupation of 250 residential units within Wimpey Site OR 500 residential units within MDA	HBC £213,750	
<b><i>Percentage for Art Contribution (HBC 25%, WCC 75%)</i></b>	<b><i>Prior to occupation of 100 units within the Wimpey site</i></b>	<b><i>HBC £22,500 WCC £67,500</i></b>	<b><i>From March 2011 until completion of TW build</i></b>
Children's Play Provision	Prior to occupation of 250 residential units within Wimpey Site	Relevant Authority £129,592	
Submit a scheme to HBC and WCC for recruitment/training apprentices OR make payment	Prior to commencement	HBC £45,000	

Grainger

<b>Deliverable</b>	<b>Trigger</b>	<b>Recipient</b>	<b>Date for delivery</b>
Leisure Centre Contribution of	Prior to occupation of 850 residential units within Grainger site	HBC £736,250	
<b><i>Percentage for Art Contribution (HBC 25%, WCC 75%)</i></b>	<b><i>Prior to occupation of 100 units within the Grainger site</i></b>	<b><i>HBC £77,500 WCC £232,500</i></b>	<b><i>Estimate 2013</i></b>
Children's Play Equipment	Any application for reserved matters approval	To be agreed, amount deductible from overall amount of £575,875	
Submit a scheme to HBC and WCC for recruitment/training apprentices OR make payment	Prior to commencement	HBC £155,000	

## **Appendix 2: Initial Indications of Appropriate Sites for Arts Commissions**

The commissions and activities, comprising temporary and permanent elements of good quality, should aim to involve, enhance, uplift and excite residents and businesses, and to create a strong sense of place, responding to unique and interesting aspects of life in the new development. In drawing up the Strategy proposed at 4.1b of this report, it will be helpful to consider a number of interesting opportunities which have already been identified by those involved in the development.

What follows is not meant to be an exhaustive list, as other opportunities will almost certainly arise in phase 1 of the Grainger scheme as it develops (eg laying out the town park).

a) Initial discussions indicate that the following sites will be suitable for arts involvement:

- The Crescent on Main Avenue – a high profile entrance to the estate where sculpture or seating might be appropriate.
- The Primary School – bringing artists into the school to work on themes relating to the new community and environment
- Waterway / Wallington River – permanent features linked to the waterway or celebratory events at this site
- Community Development – link with their work to help achieve arts based events and project eg cinema screening, dance or drama activities for children and families
- Recycling – projects that link to the new recycling centre – junk sculpture or looking at carbon reduction with artists in the community
- Community Gardens – appoint landscape artists or commission collaborative seating / features in the area
- Allotments – artists as animateurs to engage local people
- Traffic calming – sculptural features
- Landmark buildings – artist interventions which enhance design
- Plant Farm – establishment of artist or crafts makers' studios / retail outlet

b) The budget should also allow for some celebratory and fun activities such as:

- a small arts / music festival in the summer of 2012
- exhibitions of art work made by local children with professional artists
- a community film project
- artists working with the local community to produce decoration for hoardings around building sites
- community photography project with a professional photographer, competitions and publication / exhibition / web displays
- a 'meet your neighbour' creative writing project
- visiting artists delivering music, dance, theatre classes for all ages

c) Permanent features can include:

- sculptures

- seating
- lighting
- landscaping
- play area enhancements