



**Winchester**  
City Council

## **DRAFT** PORTFOLIO HOLDER DECISION NOTICE

### **PROPOSED INDIVIDUAL DECISION BY THE PORTFOLIO HOLDER FOR CULTURE, HERITAGE AND SPORT**

### **TOPIC - WEST OF WATERLOOVILLE DEVELOPER CONTRIBUTIONS FOR PUBLIC ART**

#### **PROCEDURAL INFORMATION**

The Access to Information Procedure Rules – Part 4, Section 22 of the Council's Constitution provides for a decision to be made by an individual member of Cabinet.

In accordance with the Procedure Rules, the Corporate Director (Governance), the Chief Executive and the Head of Finance are consulted together with Chairman and Vice Chairman of The Overview and Scrutiny Committee and any other relevant overview and scrutiny committee. In addition, all Members are notified.

If five or more Members from those informed so request, the Leader may require the matter to be referred to Cabinet for determination.

**If you wish to make representation on this proposed Decision please contact the relevant Portfolio Holder and the following Committee Administrator by 5.00pm on Thursday 3 May 2012.**

#### **Contact Officers:**

**Case Officer:** Eloise Appleby, Assistant Director (Economic Prosperity), 01962 848 181 [eappleby@winchester.gov.uk](mailto:eappleby@winchester.gov.uk)

**Committee Administrator:** Nancy Graham, Senior Democratic Services Officer, 01962 848 235, [ngraham@winchester.gov.uk](mailto:ngraham@winchester.gov.uk)

#### **SUMMARY**

- The Section 106 Contributions to Art from the two developers at West of Waterlooville will total nearly £500,000 over the period of the development;
- 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.

- Last October, Cabinet approved a paper referred by the West of Waterlooville Forum setting out a suggested approach for deploying these contributions to ensure that they made the best possible impact: [WWF62 - Deployment of Developers' Art Contributions at West of Waterlooville refers](#).
- At the time of the report, the full contribution from Taylor Wimpey was due, amounting to £90,000.
- Members agreed to a programme of work which initially saw the formation of an Arts Advisory Panel, which would oversee the commissioning of consultants to produce a concise strategy to ensure that funds are efficiently deployed, and that local people are effectively engaged.
- The final draft of the strategy has now been received, and includes a recommendation for a two year action plan, which will see a combination of community activities and celebrations; small scale commissions to enhance the Taylor Wimpey section of the site, and the creation of a community 'WoWPod' as a focus for community gatherings and initiatives.
- The Cabinet paper in October 2012 proposed that a lead artist be commissioned to implement the action plan.
- The total cost of the action is £85,000 (ie the Taylor Wimpey contribution after deducting £5,000 for the strategy commission). Of this, it is estimated that project management by the lead artist would be in the region of £16,000.
- In normal circumstances, officers would be required to seek three competitive quotes to commission the lead consultancy at this price. However, it is clear that the current pair of consultants – on whose artistic vision and skills the action plan is inevitably constructed - would be best placed to deliver the plan.
- Officers therefore seek a direction under Contract Procedure Rule 2.4a for authorisation to negotiate with one supplier only for the delivery of the action plan. This would be in order to realise the full value of the money already invested in the strategy and action plan, and the time spent by the commissioned artists working in the area to develop strong community relationships.

### **PROPOSED DECISION**

That a direction under Contract Procedure Rule 2.4a authorising officers to negotiate a contract for the delivery of the two year action plan with the consultants who have delivered the West of Waterlooville Art Strategy, Steve Geliot and Clare Halstead, be approved.

## **REASON FOR THE PROPOSED DECISION AND OTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

- It would be possible for officers to advertise a new commission for the contract to deliver the action plan. However, the full process would take over three months, followed by time for the consultants to familiarise themselves with the local area and community. The Arts Advisory Panel is keen to see activity begin as soon as possible in the Taylor Wimpey section of the site, particularly over the summer months this year when it seems that little other participatory activity is planned.
- The Panel also felt that:
  - a) there was a better 'value for money' offer from the consultants who have already spent time locally to develop the strategy;
  - b) the intellectual property of the current consultants (in terms of the concept for the WoWPod, among other specific proposals in the strategy) should be recognised in awarding them the commission to bring these ideas to life, in keeping with the Council's commissioning principles;
  - c) the current consultant artists have already been through a quotation and interview process for the Arts Strategy and were chosen for the best value and quality of submission; and
  - d) they would also be able to begin delivery in time for the summer.
- Officers have considered the potential for delivery of the 'lead artist' role from within Winchester City or Havant Borough Councils. However, it is clear that there is neither the officer capacity nor the expertise to deliver the action plan, which will see multiple projects covering a number of different art and design disciplines. This was established in the Cabinet report last October.
- It would be possible not to commission a programme at all. However, as the Art Contribution cannot be spent on anything other than what is specified in the Section 106 agreement, the two Councils would have to hand the money back if this were the case and the community would lose out.

### **RESOURCE IMPLICATIONS:**

A full breakdown of the resources is given in [WWF62](#). Essentially, of the £90,000 in Section 106 Art Contributions from Taylor Wimpey, £5,000 has now been spent on commissioning the strategy for the site and £85,000 remains for the delivery of the action plan developed as part of the strategy.

A breakdown of the proposed use of this £85,000 was set out in WWF62 as follows:

£16,000	Commissioning of WoW Arts Programme delivery body or individual to manage the programme on a day-to-day basis
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**Ward(s): BOARHUNT /SOUTHWICK AND WIDLEY/DENMEAD**

£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 be identified in drawing up individual artist briefs) 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.

The findings of the consultation programme (see below) shaped an action plan which consists of a large number of smaller-scale activities which will require a high level of practical co-ordination and organization. However, it is considered that a sum of £16,000 is still realistic for the management of the programme, just under 19% of the cost of the action plan itself.

The Cabinet report last October anticipated the full payment of the Taylor Wimpey contribution of £90,000 to Winchester City Council. However, the developer has paid in two parts, in accordance with the Section 106 Agreement:

Havant Borough Council £22,500  
Winchester City Council £67,500

Officers propose that Winchester City Council pays for and manages the lead artist commission from its share of the money, in order to maintain the existing good relationship with the artists and streamline the administration of the contract.

The Arts Advisory Panel, meanwhile, will propose specific projects from the action plan for Havant to pay for from its allocation, with the rest being funded from Winchester. Both Councils will be responsible for monitoring their own Section 106 funds (as set out in the table below), and the administrative workload for officers from both Councils would be shared. However, this in no way affects the wider approach to deploying the Art Contribution.

	<u>WCC</u>	<u>HBC</u>	<u>Total</u>
Commissioning the Strategy	£5,000		£5,000
Project management	£16,000		£16,000
Hall Hire etc	£2,500		£2,500
Arts projects & commissions, including repair and maintenance	£44,000	£22,500	£66,500
<b>Total</b>	<b>£67,500</b>	<b>£22,500</b>	<b>£90,000</b>

**CONSULTATION UNDERTAKEN ON THE PROPOSED DECISION**

The West of Waterlooville Art Strategy has been developed following an energetic programme of community and stakeholder consultation in both the Winchester and Havant Council areas, including:

- local schools
- older people's groups
- artists/arts organisations
- Hampshire Wildlife Trust
- West of Waterlooville Forum

The consultation has pointed firmly to a dual approach for the two year action plan which brings together the commissioning of permanent ('place-shaping') features with opportunities for community involvement in a programme of events and activities.

**FURTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED FOLLOWING PUBLICATION OF THE DRAFT PORTFOLIO HOLDER DECISION NOTICE**

n/a

**DECLARATION OF INTERESTS BY THE DECISION MAKER OR A MEMBER OR OFFICER CONSULTED**

n/a

**DISPENSATION GRANTED BY THE STANDARDS COMMITTEE**

n/a

**Approved by: (signature)**

**Date of Decision**

**Councillor Patricia Stallard – Portfolio Holder for Culture, Heritage and Sport**