

6.1 Private Sponsorship and CSR

The financial and legal services sector is by far the largest contributor to the Jersey economy with a 55% share of the GDP in 2002 . Although there is precedent for negotiating contributions to arts programmes within the Island, consultation has indicated that this is relatively small in comparison to the level of financial services companies operating. Neighbouring Guernsey has been successful in its negotiations over Antony Gormley's Castle Cornet commission and the Art and Islands Conference September 2008, both sponsored by HSBC Private Bank and through its International Artist in Residence Programme.

Notwithstanding the current global crisis, tapping into a company's Corporate Social Responsibility policy can produce exciting collaborations to the benefit of both the cultural industry and the business and its employees. In the UK, Arts & Business is established to promote such collaborations, often brokering successful relationships and matched-funding innovative programmes.

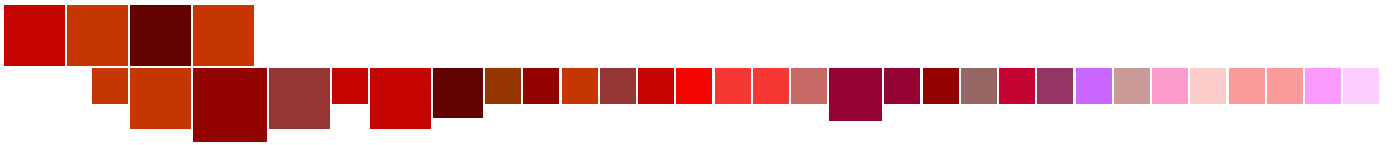
Internationally, UBS's continued sponsorship of the arts has given a platform for significant contemporary commissions. In London, Tate and UBS have joined for a programme of activities, events and exhibitions that focus on the Tate Modern collection, called UBS Openings. Central to this, 'The Long Weekend', is an annual weekend programme and cultural festival that focuses on the Tate Modern Collection and gave three days and nights of performances, events, exhibitions and workshops.

Also at Tate Modern, Unilver's commitment of £2.25m over eight years has enabled the gallery to develop a groundbreaking programme of commissions that have been successfully engaged millions of visitors to the gallery at no charge within the Turbine Hall. In addition, the company has a 20-year programme of collecting contemporary art for its headquarters and has recently established a programme of employee development. This enables interested employees to develop through creative workshops and community involvement, where members of staff volunteer to 'mentor' local arts organisations.



Reproduction of Copley's 'Death of Major Peirson' from the Sure Street Gallery, 2008

⁵ 'Urban Character Appraisal St Helier', October 2005, States of Jersey, Planning and Environment]



Two successful Jersey collaborations must be highlighted.

As part of Deutsche Bank's 35-Year Celebration, and to 'promote Deutsche Bank as innovative, progressive, vibrant and ambitious – to surprise and delight', Jersey Heritage Trust and Deutsche Bank brought the 'Beyond Sensation' Art Exhibition to the Island. During that time, the JHT reported an increased footfall of 25%, with a total of 11,191 visitors to the Museum between 3 May and 5 August 2008. In total, 25 works were displayed covering a range of contemporary art and including artists such as Tracey Emin, Rachel Whiteread, Damien Hirst and Jersey-born Jason Martin.

In 2008, Jersey Heritage Trust, with sponsorship from Sure, made reproductions of some of the most iconic paintings in its collection into temporary public artworks for outdoor display, locating them around St Helier.

Recommendation

- Working with the Economic Development Department, it is recommended access is sought to further sponsorship opportunities and genuine collaboration with many of the companies based on the Island and their staff.

Please see appendices for recommended Trusts and Charities that might support Public Art Programmes in the Channel Islands.

The process of commissioning artists and managing public art projects is a complex and specialised one. Many UK local authorities engage a public art officer tasked with coordinating projects commissioned through the planning system within the various departments and managing the resource of commissioned works. They offer expertise internally within the various public departments and advise developers and others on appropriate process and procurement methods in the commissioning of public art.

Public art is now considered the norm rather than the exception when developing large-scale building programmes. Many developers, architects, planners, landscape architects and other professionals have developed experience of commissioning artists within their schemes but while some pursue this successfully without assistance from external advisors, others recognise the benefit of engaging professional commissioning agencies to ensure that the full potential of any project is explored and exploited.

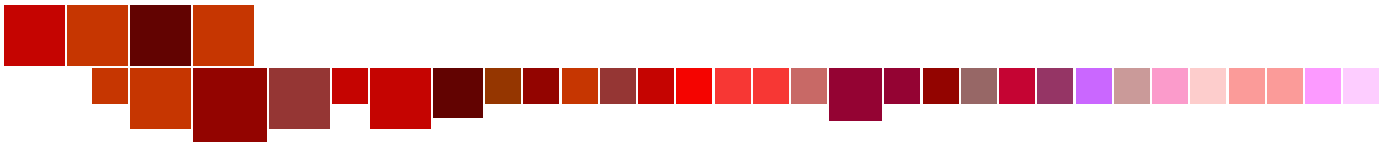
Most of the Island's major pieces of public art erected in the past fifteen years have been procured by the Jersey Public Sculpture Trust in accordance with its constitutional objects "to [promote]...sculpture for the benefit of the public of the Island of Jersey including the establishment, protection and preservation of sculptures, and the education of the public of the Island in the understanding and appreciation of sculpture". The JPST has always actively included local artists where possible and a number of pieces have been delivered by local artists; for example, those at Land Ouest and La Roserie. It also has a strong record of engaging with schools and community projects linked to Public art projects.

These projects include the Liberation Sculpture, La Vaque de Jèrri, Les Jongleurs in Queen Street, the Freedom Tree and the Jubilee Needle. The Trust has, therefore, a strong record of successful delivery recognised in the States Cultural Strategy which recommends conferring responsibility for identifying, commissioning and erecting public sculpture on the Trust. It was also responsible for promoting the principle of percentage for art, subsequently endorsed in the Island Plan and reaffirmed in the Cultural Strategy. However, it is a voluntary organisation and has no paid staff. In recent years, it has become apparent that it requires some officer support if its pioneering work is to continue.

The Jersey Arts Trust exists to support islanders in their artistic endeavours, develop new opportunities, support emerging talent and foster an environment that can enhance the cultural scene both locally and internationally. The Jersey Arts Trust has already provided advice and information about Jersey's artists to developers and architects in context to their Percent for Art commissions. It is developing and expanding these projects to incorporate community engagement and the professional development of local artists and students.

Recently the Jersey Public Sculpture Trust approached the Jersey Arts Trust to collaborate, with a range of other organisations, on the successful residency and temporary public art exhibition 'Odyssey' by Robert Koenig. It was notable for a strong community engagement, including a series of workshops, open to all schools, organised by the Jersey Arts Trust.

Independently, as a result of the collaboration between the Minister for Planning and Environment and his counterpart at Education, Sport and Culture, a panel was established in 2007 to offer advice in connection with the percentage for art policy, which consisted of representatives from the Jersey Public Sculpture Trust, the Jersey Arts Trust, the Jersey Heritage Trust, the Jersey Arts Centre Association and Education, Sport and Culture.



Subsequently, the panel was not ultimately asked to fulfil this role and the Jersey Public Sculpture Trust and, recently, the Jersey Arts Trust have been identified (in supplementary planning guidance) as being able to assist the development industry with the delivery of Percentage for Art as part of the development process by the Planning and Environment Department. The involvement of the Jersey Arts Trust is specifically intended "to enable local artists and craftsmen to participate in the exciting development of the Percentage for Art programme in the coming years". It appears likely that Jersey Heritage will also seek to be recognised on the list.

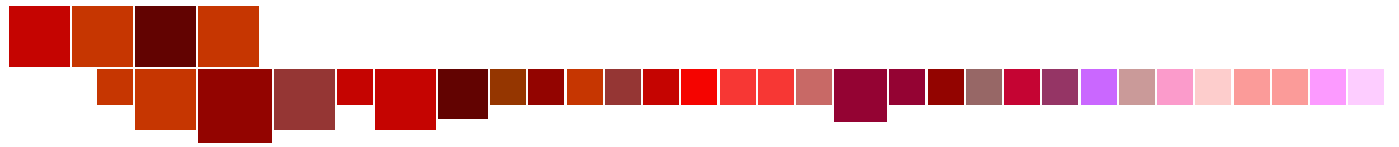
A feature of public art is the extent to which it involves different bodies acting in the wider public interest. The creation of the advisory panel has brought four key bodies together. We have considered various ways to capitalise on the strengths of the Jersey Public Sculpture Trust, Jersey Arts Trust, Jersey Heritage and the Jersey Arts Centre Association in the procurement and delivery of public art which resonates with the Island's broader culture and which affords opportunities for cultural development, particularly with regard to artists working in Jersey.

The expansion of the Minister for Planning and Environment's percentage for art advisory list may result in a broadening of opportunities for local artists and the chance to engage the community in some works commissioned from artists coming from outside the Island. There appears to be great potential here. However, we do not know how extensive these opportunities will be or when they may emerge; consequently, we do not know whether there is any prospect of funding being generated from commissions which would support additional practical assistance to the local artistic community and the non-profit organisations which support it; we also understand that there is considerable pressure on the current funding of the existing cultural organisations.

It will be desirable in the future to consider what effect any such developments may have on the roles and responsibilities of the bodies concerned. In the short-term, however, the existing bodies should continue to co-operate to deliver the strategy by means of the advisory panel appointed by ESC. In the delivery of any larger public projects, it will be important to involve a wider constituency of opinion from the community by appropriate methods of procurement. Consideration might be given to whether additional members would be of assistance in the long-term. There is an important connection here with the States Cultural Strategy which is predicated on the principle of close co-operation between the cultural organisations funded by the States of Jersey. The first artist in residency scheme and meetings to consider mechanisms for the maintenance of existing works show how effectively such co-operation can work.

Each of the existing organisations brings special skills to the table; where projects involve engagement with the local arts community and within schools, the Jersey Arts Trust will be best placed to make this connection; the Jersey Public Sculpture Trust has experience in delivering some of the most successful recent public art projects in the Island; Jersey Heritage has been involving in commissioning important work and provides a vital link with an understanding of the Island's history and culture; the Jersey Arts Centre runs an important public gallery and has an exhibitions committee which comprises many of the Island's secondary art teachers.

It is important to recognise that the speed with which the aims of the strategy can be realised will depend to a considerable degree on the resources and the commitment of the constituent organisations on the panel. It is very likely that additional support will be required in the long-term but we suggest that this is addressed once the variables which we have already identified have been resolved. In the interim a panel which is prepared to collaborate and to share precious resources will be essential. We recommend that new terms of reference are developed which align the panel specifically to the delivery of the public art strategy.



Responsibilities of the panel include;

- co-ordinating the monitoring and maintenance of existing and new work in public sites with other relevant stakeholders including the parishes, Transport and Technical Services.
- undertaking publications and other ventures aimed at raising the profile and international awareness of the Island's collection of public artworks.

The co-operative framework of the panel can support the Jersey Public Sculpture Trust and the Jersey Arts Trust to further achievement in;

- outreach work with school and community groups;
- organisation of seminars and conferences;
- seeking links with similar organisations within the Channel Islands, the UK, Ireland and mainland Europe;
- building connections with the education department to promote learning opportunities;
- extending mentoring schemes to locally based artists and to make opportunities available for community engagement;

Recommendations

- The existing Public Art Panel should be consolidated with new terms of reference which reflect the priorities of the Public Art Strategy.
- Clear terms of reference should be agreed with ESC and a modus operandi established which recognises existing responsibilities and the extent to which those responsibilities connect with the strategy but which also identify new opportunities for joint working.
- In addition to its role in implementing the strategy, the Public Art Panel should be available as an advisory body to the Education, Sport and Culture Department.
- The panel's role should also include supervising curatorial responsibility for the public art collection which will entail liaison with the bodies which have responsibility for of particular works.
- While operating costs will be minimal by virtue of the essentially co-operative structure of the panel, an assessment should be made of the need to seek support in the light of the number of projects with which the panel is involved.
- The panel should give emphasis to working with the Planning Department to secure support, as set out in the Supplementary Planning Guidance on percentage for art, for maintaining existing works.
- The panel should develop closer working to explore the possibility of raising the profile of public art in the Island on appropriate websites.

8.1 States of Jersey Policy

The importance of public art to the community is recognised in a number of States documents. This strategy sits in the context of the 2002 Island Plan (currently being revised) which is the framework through which all planning applications are determined. It places 'great importance on the built environment and the way in which it should be enhanced and how new development should contribute to the quality of urban life'. The Island Plan states its commitment to public art as follows:

The Planning and Environment Committee will seek to negotiate the voluntary allocation of an appropriate percentage of design and development costs to the provision of public art. Agreements will be sought where it is considered that;

Both the scale and location of a new development are appropriate for the inclusion of public art; and

The provision of public art would enhance the public's enjoyment of the building or space.
The Island Plan, 2002

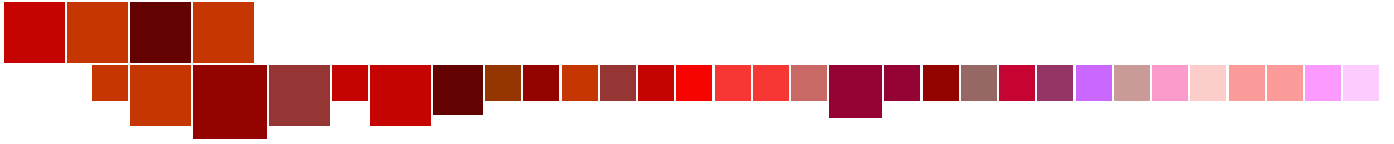
The States of Jersey Cultural Strategy, adopted in 2005, advocates a "public art policy for Jersey [which] would recognise the contribution that public art makes to the quality of life, the improvement of public spaces and the development of a sense of place." (Objective 4.1)

The Strategy seeks to 'strengthen the existing Percentage for Art policy for all future developments, both public and private'. (Objective 4.2) Importantly a number of other objectives relate to the local arts community and ways of helping it grow and are consistent with the development of public art opportunities.

- "To support individual artists...in furthering their careers...and in helping to support a market for their works and activities." (Objective 3.5)
- "To commission local artists and crafts-workers wherever possible to enhance new public developments and to encourage the private sector to do likewise in their new developments." (Objective 3.6)
- "To develop a series of incentives to encourage the development of the creative industries in the Island." (Objective 3.7)

In December 2006, the Minister for Planning and Environment introduced supplementary planning guidance to assist the implementation of the Island Plan Percentage for Art Policy (BE12).

Developed by the Association of Jersey Architects on behalf of the States of Jersey, the Jersey Design Guide aims to provide information and guidance but does not act as formal SPG. It has been developed to help safeguard Jersey's unique and appealing built and natural heritage. Advocating that public art projects are considered at the earliest opportunity, the Guide states that 'incorporating high quality sculpture, or other works of art, will significantly enrich a building and its surroundings'. Jersey Design Guide, States of Jersey, September 2008.



■ 8.2 UK Policy

Specifically commissioned pieces of art can contribute to local distinctiveness and help to create a sense of place. This is reflected by the increasing presence of artists on planning teams and a growing public expectation that art will be a feature of regeneration schemes. (Department for Culture, Media and Sport, 'Culture at the Heart of Regeneration', 2005, [3.15 Public Art])

Artists can best become involved at the start of the process, so that they can contribute conceptually to a project – if you use them to bolt-on art work at the end, opportunities are missed and results may be unsatisfactory. If your project has a percent for art policy, you could appoint a lead artist to formulate a creative direction, and advise on how to involve other artists and arts organisations. Using an artist can add considerably to the distinctiveness of your scheme – it may be a factor that makes one bid stand out from the rest in a tendering process. (Creating Excellent Buildings – a guide for clients. The Commission for Architecture and the Built Environment 2003)

Independent Reporting. Developers 'saw the provision of public art as part of a strategy or package to raise the quality of their developments'. For occupiers, 62% of those surveyed 'recognised that the contribution which public art made to their buildings image was significant' (Public Art in Private Places: Commercial Benefits and Public Policy, Roberts, Salter and Marsh).

This strategy welcomes the introduction in 2006 by the Planning and Environment Minister of percentage for art supplementary planning guidance, to enable and assist the implementation of the Percent for Art policy in the 2002 Island Plan. It was too early for us to obtain detailed information about projects developed with funds generated by percent for art or the procurement methods but it was clear that successful negotiations had taken place with a number of developers.

Percent for Art has been a long accepted measure to define an appropriate allocation within a development budget towards an associated art commission. It has been applied to public sector capital expenditure throughout the developed world for many decades.

Since the late 1980s it has been extended increasingly to private sector developments, either through the planning system or in the case of Cardiff Bay, for instance, through sale agreements for development land in regeneration areas.

In Jersey developers are currently able to propose works within, adjacent to or bearing some relationship with the site they seek to develop; or they may choose in appropriate circumstances for their contribution to be held in a pooled fund to support future public art initiatives at the discretion of the Minister.

The Policy encourages the engagement of an artist or artists at an early stage of development:

Developers are strongly advised to consider their proposed Percentage for Art contribution at the earliest opportunity so that the work is integral to the planning of the scheme, rather than added on at the end of the process.

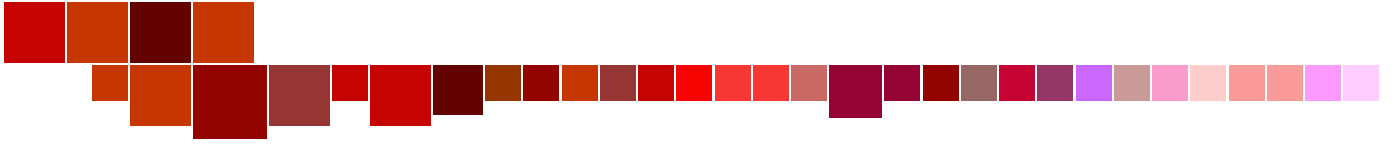
(Supplementary Planning Guidance on Percentage for Art).

The SPG requires a percentage for art statement - designed to outline details of the artist's contribution with a breakdown of the budget - and encourages the engagement of artists at the earliest opportunity. We endorse the desirability of such a statement and the practice of involving artists at the earliest opportunity.

As with similar Percent for Art Policy programmes in the UK, it must be noted that Jersey's entails a voluntary contribution agreed between the developer and the Minister for Planning and Environment. It is, therefore, the enthusiastic commitment of the States of Jersey, its ministers and its officers that is the essential pre-condition of its success. It is also important that there is systematic advocacy of the principles and rationale for the scheme so that it is understood clearly by developers and the wider community.

Percentage for art is not a tax to be spent generally on worthy causes: it is a contribution by a developer to enhancing the public realm. As such, there are real benefits for a developer in making such a contribution, not only in the sense that it may enhance the value of a scheme or contribute to a successful planning application: it is likely to mark positive engagement with the public and provision of something which is widely seen as a public benefit.

⁶ Percent for Art" is generally understood to represent 1% of the overall development cost for a construction project. In practice however a defined sum is negotiated on the basis of this principle, deemed to be adequate to secure an appropriate project for the development. Jersey's "Percentage for Art" represents to some extent a deviation from this principle, in that it seeks a contribution of 0.75% of the construction cost only.



The experience in the Cardiff Bay development area over a ten year period has demonstrated the success of the principle. With only £600,000 of public investment in the Trust, more than £5.5m of private sector investment in public art was secured. However, in this case it was largely enforced through contractual conditions included in covenants in sale agreements for development land and was a strict obligation for each developer in Cardiff Bay.

It was clear, however, that where developers showed some initial reluctance to commit to the principle with enthusiasm, this was usually based on insufficient knowledge of the benefits that good quality public art could generate for their own corporate interest. Through their engagement with the commissioning processes many became enthusiastically committed to the principle.

In Jersey, on acceptance of the Percentage for Art Statement by the Minister, details of the Statement can become a condition of planning approval within a Planning Obligation Agreement under Article 25 of the Planning and Building (Jersey) Law 2002. At this point the public art project passes from the voluntary to a mandatory condition of planning approval.

Within the SPG it is recommended that the developer does not commission the art work prior to the statement being approved by the Minister. The principle of early engagement is important to the success of a public art project. In particular, artist/architect collaborations and effective design teams which include an artist almost always function better when the artist has been engaged as early as possible. It may be desirable to contemplate 'in principle' approvals and/or the involvement of appropriate advisers to encourage early engagement of the artist.

As the SPG advocates, it is important that appropriate professional support is secured in delivering a public art project. This may take the form of an experienced professional adviser, working direct with an experienced artist, or involving the Jersey Public Sculpture Trust or Jersey Arts Trust. At present, the Minister for Planning and Environment publishes a list of recommended advisers which includes the Jersey Public Sculpture Trust and the Jersey Arts Trust and two other advisers. Since information on a range of advisers is readily available from independent arts bodies, it is recommended guidance be given as to the source of such data rather than endorsement being given to specific bodies. This will result in greater choice and competition between advisers to the benefit of developers and architects, and will avoid potential conflicts for the Minister.

Recommendations

- Developers and their architects should be encouraged to develop projects and commission an artist (or artists) at the earliest stages of the development of the design concept.
- A method of 'in principle' approval should be considered to encourage this early involvement of artists to develop proposals.
- Consideration should be given to the possibility of introducing public art covenants attaching to the sale of public land for development following the successful examples cited in Cardiff Bay.
- Clear guidance should be published about the appropriate use of pooled funds to include provision for maintenance of existing works.
- In accordance with the Cultural Strategy, the Jersey Public Sculpture Trust should be given responsibility for delivering projects generated with public funding.
- There should be clear agreement over the ownership of and ongoing maintenance responsibility for new works. (Where there is an appropriate Planning Obligation relating to the percentage for art contribution it could incorporate this.) (See appendix 4.9)