

# **New artworks and memorials in parks, open spaces and the public realm in Camden**

## **A guide**

### **1.0 Introduction**

#### **1.1 Why we have developed this guidance and what it is for**

Memorials and public art can positively enhance the public realm. They can help us to reflect on and remember the lives and experiences of those who live or once lived in the borough, commemorate events of importance, provide reminders to the historical and social past or simply enhance an area and the aesthetic value people derive from it.

This document aims to provide guidance to anyone who is considering proposing the installation of a memorial or public art on Camden owned land within the public realm. It aims to be explicit about the kinds of proposals Camden wishes to see, the quality of the proposal we require and to guide through the application process.

#### **1.2 What kinds of proposals are covered by this policy**

##### Memorials

Something, such as a monument intended to celebrate or honour the memory of a person or an event. These can be statues but can also be trees, funerary monuments, mosaics, fountains and plaques on benches, walls or set into paving.

##### Public Art

These are works of art in any media that are planned with the specific intention of being sited or staged in the physical public domain, outside and accessible to all. Such works are site specific, expected to be new commissions, unique to the site, and created as part of wider developments on new sites; for example as part of major building works or refurbishments.

### **2.0 Issues influencing this guidance**

#### **2.1 Planning Policies**

Camden's existing planning policies, contained in the Camden Core Strategy, Development Polices and Supplementary Planning Documents and the Unitary Development Plan will apply to all proposals for the development of artworks and memorials. This document will be supplementary planning guidance. Neighbourhood Plans may also have a bearing on proposals.

#### **2.2 Saturation zones**

In common with a number of London boroughs, Camden has areas where artworks and memorials are concentrated and other areas where they are rare. In some

areas of high concentration further development of memorials and artworks could have a negative impact on the public realm. In other areas of the borough more development could enhance the public realm. There are also places where there are no artworks and memorials. Where this is felt to be historically or aesthetically correct we would seek to preserve this. A map showing areas of high and low saturation is appended to this guidance (*in development*).

## **2.3 Historical environment**

One of Camden's oldest buildings, St Pancras Old Church, dates from the 4<sup>th</sup> and 5<sup>th</sup> centuries and a new quarter of London is currently under construction in Kings Cross. In between these dates, Camden contains buildings and environments that reflect most architectural and landscaping styles. Bloomsbury epitomises the elegance of 18<sup>th</sup> century Georgian London, parts of Hampstead and Highgate still feel like the country villages they once were and Kentish Town, Kings Cross and Camden Town were shaped by the industrial revolution and the coming of the railways. We want to see development that respects and enhances the historical context of each of the varied areas of the borough.

## **2.4 Context**

Proposals must have direct link to the site in which it is proposed to place it. Research should be carried out before deciding to make a proposal to Camden.

### Scientific, historical, literary and artistic connection

Examples are Stephen Tomlin's bust of Virginia Woolf in Tavistock Square (1931 recast 2004), Sir John Betjeman by Martin Jennings in St Pancras railway station (2007) and Sigmund Freud by Oscar Nemon in Swiss Cottage (1970). The three boroughs that went on to form Camden have always been the home of politicians and many areas of political thought and theory were worked on and debated in the borough. Examples include Fenner Brockway by Ian Walters in Red Lion Square (1985) and Mahatma Gandhi by Fredda Brilliant in Tavistock Square (1968)

### Local people

Camden is, and has been the home of many people who have had a profound impact on local life. Examples include the statue of Richard Cobden by T and W Wills in Camden High Street (1868) and Sam – a memorial for Patricia Penn in Queens Square by an unknown artist (1997).

### Commemoration

Examples include Archangel Michael in St Pancras Parish churchyard by Emily Young (2004) and the LWN War Memorial at Euston Station by Reginald Wynn Owen (1921).

### Visual impact

Public art can positively contribute to the look and feel of places. Examples include ob08 by Steven Gontarski in St Giles High Street (2008), Beneath the Skin by Peter Randall-Page in Bloomsbury Way (1991) and Piscator 2 by Eduardo Paolozzi in the Euston Station forecourt (1980).

## **2.5 Quality**

Camden wants to see new artworks and memorials that are of the highest quality and that respect and enhance existing landscapes, streetscapes and artworks enriching the vibrant and diverse feel for which Camden is known. The quality of a proposal can be enhanced by commissioning experienced artists and by using an experienced panel to carry out the selection process. Commissioning can be by open invitation or it can be by a direct commission where the artist has an established reputation for producing work appropriate to the proposal. We appreciate that different works suit different environments across the Borough and we welcome proposals that capture the culture of Camden through high quality art.

It is also always worth considering employing qualified architects and landscape architects as their professional guidance and judgement can greatly enhance a proposal.

## **2.6 Is an artwork or memorial the only option?**

There are opportunities for a wide variety of temporary and permanent public art works in the borough. Apart from the obvious landmark buildings and open spaces there are schools, colleges and medical facilities, sheltered housing and hostels, community centres, libraries and sports centres, train stations and other transport structures. There are also a variety of media you could consider; lighting, mosaics, restoration of building facades and 2 dimensional artworks. Discussion with our Arts and Tourism team might help you think about the options that may be available to you. Please ensure you seek permission from the relevant landowners at all times.

You may also want to consider partnering with a company or business who would like to sponsor the development and future maintenance of a memorial or artwork. Something like a drinking fountain could be a candidate for this approach.

## **2.7 Diversity**

Camden is a hugely diverse borough and we want to celebrate and recognise this. We are committed to being an inclusive borough which recognises shared values as well as the distinct needs of the borough's different groups and communities, particularly the most vulnerable and disadvantaged. We welcome initiatives and proposals for artworks and memorials that recognise the variety of experiences and cultures the borough enjoys.

## **2.8 20 Year Principle**

The death of a well-known person or a prominent event can lead people to want to commemorate almost immediately by erecting a memorial. This is an understandable reaction and in some cases the right thing to do. However, reacting quickly can result in memorials that are of poor quality or do not stand the test of time, so in years to come they can feel inappropriate or wrong for their setting.

For these reasons our guidance (excluding memorial trees, benches and plaques) is that there should be a pause of 20 years after the event or death of the person to

allow time for reflection, planning and gaining support for a proposal. In the shorter term it might be more appropriate to plan a temporary memorial, installation or event.

There always will be exceptions to this principle which may mean that it is appropriate to agree the siting of a memorial object sooner, but we believe a pause will help the event or person to be kept in the public's thoughts.

## **2.9 Safety**

Any proposal needs to consider safety and anti-social behaviour issues. An artwork placed in or near an area children play in will inevitably be climbed on. In some areas benches are used for street drinking and can also provide a focus for anti-social behaviour. Some statues and memorials can also become a focus of anti-social behaviour and graffiti because of the controversial nature of the person or event they portray.

Installations marking politicians or political events can also become the subjects of vandalism or demonstrations. Careful design and sensitive placing can help to reduce these risks. If Camden assesses that a proposal poses unacceptable safety concerns or has the potential for attracting anti-social behaviour it may not be approved.

## **2.10 Support**

If you are not the landowner you will need to prove that you have the full support of the owner for your proposal. No proposals will be considered without proof of landowner support.

You will need to demonstrate that you have engaged with local people and organisations (where appropriate) and have support for your proposal. The level of support would be proportionate to the impact of your proposal. For example, for memorial planting you may only need to consult with the local Friends Group but a for a significant statue commemorating a person or an event we would expect to see that you have substantial support, both from individuals and organisations with an interest in your proposal. As well as demonstrating support to us, you will also need to show that you have engaged all interested parties in an inclusive and open manner.

## **2.11 Temporary installations**

Camden will consider proposals for the temporary siting of statues, memorials and artworks. It may be that works of a temporary nature would be acceptable in areas where a permanent proposal would not. We would expect a temporary installation to meet the same criteria we use for assessing the merits of permanent proposal (for example quality and context). We will discuss with you a suitable length of time for a temporary proposal dependent on site and the nature of the artwork.

## **3.0 Costs, maintenance and ownership**

### **3.1 Sustainability**

Where an artwork or monument is located in one of our parks, open spaces or the public realm, Camden will need to be satisfied by the arrangements for future maintenance. Responsibility for maintenance can rest with any of a number of institutions. Artworks and monuments are currently maintained by Royal Parks, Camden, English Heritage, the Greater London Authority and in many instances by the freeholders of the site. Where several parties are involved it is prudent to record rights and responsibilities between them in a formal manner.

Camden will want to ensure that the development group or proposer can fund the entire project costs and that provision is made for the artwork, along with any associated landscaping, to be maintained into perpetuity, and to the specification of Camden. This must include the continuing maintenance of the structure including such things as graffiti removal and cleaning of moss or lichens.

### **3.2 Cost**

Landscaping can be expensive, particularly in cases where alterations to the highway are required. You will normally be required to enter into a legal agreement with Camden regarding these works.

Where it is proposed to gift a new artwork to the council, a one-off commuted sum payment will be required to cover future maintenance costs of the piece.

The cost of maintaining an artwork can be high, especially where a scheme involves additional or integral lighting or water systems, where the object requires specialist cleaning or where it is in a known area of anti-social behaviour where it could be susceptible to vandalism. The sum required for maintenance can therefore vary according to the complexity of the piece in question.

Under exceptional circumstances, the Department of Culture, Media and Sport may take statues into care once erected in a public place and maintain them in perpetuity. In these cases you will be asked to deposit a sum of money with the Department for this purpose.

When developing your proposal you will need to consider the following. It may be that you will need legal advice on some of these issues.

- Origination, the cost of developing the concept.
- Consultation, developing your proposal in conjunction with local people and interested stakeholders.
- Fabrication, the cost of producing the concept.
- Installation, the cost of delivery, site preparation, site safety and restoration after work is complete.
- Project management, an experienced project manager may be required to provide advice.
- Maintenance, how future maintenance will be paid for, the cost of insurance.

- Ownership, moral rights and copyright, certainty on who owns the work and who has rights to reproduce the work.

### **3.3 Decommissioning and moving**

We reserve the right to decommission or move any memorial or artwork on our land. We will of course make every effort to contact the owner of the object to discuss the decommissioning. We cannot guarantee the location if we need to move the memorial or artwork. Also, we cannot guarantee that we will be able to eventually move it back to the original location. This may be necessary because of parks or highway refurbishment works.

## **4.0 Specific guidance**

### **4.1 Policy on Camden owned public space**

Camden owns almost 80 public spaces in the borough. These range from large, formal squares in Bloomsbury to small play spaces in Kentish Town and Kilburn.

### **4.2 Character assessments of Camden owned and leased sites of major importance**

The great majority of parks and open spaces managed by Camden are either given protection under the London Squares Protection Act 1931 or are included in our planning policies as having a special character, in a nature conservation area or in a strategic view corridor. A number also contain listed structures or are close to important listed buildings. A historical, architectural and natural assessment of most important or most pressured sites has been carried out to provide guidance on what might be an acceptable proposal. Each of Camden parks and open spaces has been ranked as falling into one of the following categories

Red – There is no opportunity for permanent proposals in this area. If proposals were pursued they would have to be exceptional

Amber – Only specific permanent proposals will be considered in these areas

Green – There are wider opportunities for the consideration of permanent proposals in these areas within the framework set out.

The assessment status of each space is appended to this policy; this includes examples of the types of proposals that may be considered.

In addition, a detailed inventory of artworks, memorials and other objects has been carried out for each space. This has been mapped electronically and a thermal map showing the areas of highest concentration in the borough has been produced which forms an appendix to this report (*this map is currently under development*). It is likely that proposals for development in areas of high concentration will only be agreed in exceptional circumstances.

## **4.3 The public realm**

### **4.3.1 Benches**

This guidance should be followed for applications regarding benches. Once approval is granted through this process, further consideration will be made through Camden's established protocol on benches on the public highways which is appended to this guidance.

### **4.3.2 Other structures on the public highway**

Please remember that not all highways are owned and managed by Camden and you may need the permission of Transport for London or a private land owner, for example for a private road or red route. Camden is a dense, congested borough with many underground services running beneath its streets. This can limit our ability to agree development on the public highway as siting memorial benches and trees can prove to be extremely challenging.

We will work with partners to develop and commission unique new works of art as part of the redesign and development of the public realm.

Appended to this guidance is a map which shows the areas of high saturation in the borough.

### **4.3.3 Trees**

Where a site is suitable, we welcome commemorative tree planting but there are more limited opportunities for the planting of street trees. This can be for a variety of reasons

- Underground services located directly beneath a tree pit or close to a tree pit area
- Restrictions because of pavement width, above ground services, lighting and signage
- A site that has become unsuitable because of actual or planned changes in the immediate area
- Sites where the long term success of the planting is doubtful
- Locations where trees have been removed because of subsidence

We can no longer allow freestanding commemorative plaques at any location next to trees because of problems with vandalism and maintenance.

The location of the site will also guide the most appropriate species and Camden would have the final decision of the species to be planted. Arrangements for any tree planting must be agreed with a Camden Tree Officer and the council's tree contractor as the future management and maintenance of the tree would be carried out by Camden. We will not permit memorial planting ceremonies during the planting of highways trees.

#### **4.3.4 Planning policy on private spaces**

Current planning policies, including policies on trees, will continue to apply to proposals for development in privately owned spaces, as they also do for publically owned spaces. However for sites that have public access or are visible from the public highway we would encourage the use of this guidance.

### **5.0 The process**

#### **5.1 Timescale and procedure to be followed before applying for planning permission and other consents**

Agreement to a particular project, finding an appropriate site, developing an acceptable design and securing the necessary finance can involve complex and involve lengthy negotiations, consultation and fund raising. It is important, therefore, that you allow a realistic timescale for the project.

Experience has shown that you should normally allow a minimum period of a year to develop an idea for a memorial or artwork to a stage at which it is appropriate to apply for planning and other permissions.

You should always contact Camden for advice at an early stage and certainly before commissioning anyone to work up a particular concept for any site. In cases where the art work is proposed to be on a building you should also speak to Camden.

After initial discussions with all interested parties, the principle of your proposal will be considered by Camden. Officers will then advise you if your proposal has been supported or refused and, if supported, whether you will need to submit your proposal for planning permission and any other permissions and consents may need.



## 6.0 Before developing your proposal

### 6.1 Have you reviewed the following?

Trees, memorial plaques and benches in Camden parks and open spaces.   
Check the status of the park or open space in question and see what kinds of development Camden would consider.

Benches on the public highway   
Check the process detailed in appendix XXX

#### All other proposals

##### Permission of the land owner

If you are not the landowner, can you confirm that you have the landowner's permission? We need to you supply of the owner's written permission with your submission. If Camden is the land owner you must contact us first before starting to develop any kind of proposal

##### New or temporary art commissions

Have there been discussions on your proposal as part of the wider planning process or, if the installation does not require planning permission, with [Arts and Tourism](#)?

##### Suitability of the location

Check the saturation map and the individual site assessments for Camden owned and managed open spaces to confirm that your proposal fits with our assessment of these areas (links)

##### Planning policies

Check [Camden's planning policies](#) for any constraints we have placed on the area in which you wish to place the statue or artwork.

##### Community safety

Check issues such as [public safety and anti-social behaviour](#) when developing your proposal. If the proposal is near a [school or a place where children play](#), how safe would the object be if it was climbed on for instance. Also, would the object provide a focus for anti-social behaviour such as street drinking, vandalism and graffiti? Have you considered how this would be managed?

##### Engagement

Can you show that you have effectively engaged and consulted local people and organisations on your proposal and that it has support?

##### Other issues that may have an impact on the proposal

Check that the area you wish to place a memorial or artwork in is not subject to work in the near future, for example extensive changes to [roads or transport systems](#) or [local development](#).

## 6.2 Taking your proposal forward

Only after you have reviewed the issues above, and judged that your proposal seems to fit with the criteria in this guide, should you develop your proposal. It will need to be detailed enough for Camden to fully understand what you are proposing and will need to include details of how the cost of the proposal is to be covered and how future management and maintenance costs will be met. Proposals that do not provide a sufficient level of detail will not be considered. We have developed an online application form to guide you through the process.

## 7.0 Who gives consent that your proposal meets this guidance?

Work on your proposal will be coordinated by a single officer in the council. They will consult with other services on your behalf. They will also let ward councillors know about your proposal. They will then collate comments from these internal consultees and make a recommendation to the Director who will make the final decision in conjunction with the relevant Portfolio Holder. We will aim to let you know the outcome within 8 weeks of you making an application.

In many cases you will then need to apply for planning permission and you must not commence work on your proposal until planning permission is granted. We will let you know if you need to apply for planning permission when we write to you with outcome of your proposal. **You should note that agreeing your proposals meet our guidelines does not automatically mean that you will be granted planning permission.** The consent to your proposals is only on the basis that it meets the requirements we have set for that particular site, not that it meets planning policy.

If we refuse to give consent to your proposal there is no right to appeal. If the proposal is given consent by us, then refused planning permission you do have a statutory right to appeal against the refusal of planning permission. This [guide](#) shows you how to do this.

### 7.1 Final stage

Once all permissions have been given you will need to contact Camden to agree the schedule of works for your proposal.

## 8.0 Contacts, links to forms, links to other guidance

### Existing links

[Planning portal](#)

[Camden planning](#)

[Building Control](#)

[Department of Culture Media and Sport](#)

[English Heritage](#)

## Protocol for addressing Community Safety Concerns Related to Benches in Camden

January 2009

### 1. Introduction:

The current Council policy and target on street seating, as of January 2009, is stated as in the Camden Walking Plan:

“Walking Plan Target 17: The Council will install street seating on an area-wide basis.

The lack of street seating has been identified as a potential barrier to walking, especially for older people. It is recognised, however, that street seating can attract street drinkers and other anti-social behaviour. Camden Council is committed to address these issues, and is supporting the Clear Zone Partnership to take forward a study to identify optimal public seating placement and orientation. It is expected that Camden will develop new protocols in regards to the management of bench locations.”

*Camden Walking Plan Second Edition, First Biennial Review (May 2008)*  
([www.camden.gov.uk/walkingplan](http://www.camden.gov.uk/walkingplan))

The following protocol is designed to ensure a consistent approach to the management of community safety concerns and anti-social behaviour (ASB) associated with benches across the borough. This is particularly in relation to youth disorder and aspects of street activity (notably street drinking). The protocol will seek to encourage the legitimate use of benches by addressing any ASB related to them.

The protocol covers both an assessment of sites where benches are planned and a partnership response to reports of problems with benches at existing locations.

### 2. Key Principles:

- The protocol achieves a consistency of approach across the borough.
- The protocol operates in a locality sensitive manner within a broader Community Safety context.
- The protocol is responsive to community requirements and concerns.
- The protocol ensures evidence-based actions.
- The protocol is transparent to ensure that partners and the community are clear about decisions taken.
- Decisions taken as a result of information shared within the protocol arrangements are time-limited on a case by case basis.

### **3. Actions required in relation to sites where benches are planned:**

- i) Officers from Culture and Environment will contact The Head of Community Safety Services and outline the proposed locations.
- ii) Community Safety Services will contact ward Councillors, those police/community safety teams operating in the area and any other relevant officers to the council , informing them of the proposed sites and to check the following in terms of youth disorder and street activity as appropriate:
  - a) Are there currently problems at the location of the planned site?
  - b) Are there currently problems in the vicinity of the planned site that are likely to migrate to or be increased by the placement of the benches if progressed?
- iii) There will be a 3 week time scale for responses, which will be passed on to officers in Culture and Environment.
- iv) Culture and Environment officers will decide whether to proceed with the installation of the proposed benches, balancing the information received against other factors relating to policy decisions affecting the public realm and the responsibilities of the Highway Authority. Ward Councillors will be informed of the decision.
- v) Where benches are installed Community Safety Services will inform the appropriate police/community safety teams so the sites can be incorporated into their patrolling/monitoring structures.
- vi) Community Safety Services will then ask the appropriate police/community safety teams for two further updates on a three monthly basis assessing levels of activity at sites where benches have been installed.

### **4. Actions required in relation to community safety concerns associated with existing benches:**

- i) Officers from Culture and Environment will contact the Head of Community Safety Services and outline the complaints received.
- ii) Officers from Culture and Environment will respond to the complainant informing them that their concerns have been forwarded to colleagues in Community Safety Services and that the issues will be assessed and monitored over a three week period.
- iii) Community Safety Services will contact ward Councillors, those police and appropriate community safety teams operating in the area (this may include the Street Wardens, Safer Streets Team, the Youth Disorder Engagement Team and Street Environment Services) and any other relevant officers to the council to make them aware of the complaint and to ask them to assess and

monitor activity at the site over the next three weeks. Following the assessment period agencies will be asked to come back with comments and to indicate a response from the following list:

- a) There are currently no community safety problems arising from the location of the bench.
  - b) Community safety issues associated with the bench can be identified, but these can be addressed and managed with input from partners and stakeholders.
  - c) Community safety issues associated with the bench should continue to be monitored. Community Safety officers will provide two further updates on a three monthly basis assessing levels of activity at site, which will be used to progress a decision regarding removal.
  - d) To recommend the removal of the bench as the best means of addressing the community safety issues identified.
- iv) These responses will be collated by Community Safety Services, who will advise on an overall recommendation where there are differences on opinion. The recommendation will then be passed on to officers in the Street Policy Service and the Urban Design and Renewals Team, who will then decide how to proceed, balancing the information received against other factors relating to policy decisions affecting the public realm and the responsibilities of the Highway Authority.
- v) Officers in Culture and Environment will then inform the complainants and ward Councillors of the decision, and that the site will be monitored for a further 6 months if appropriate. Complainants will be directed to Community Safety Services should they wish to discuss this further.
- vi) Site notices will be placed at locations where benches have been removed explaining why the decision was taken.
- vii) Community Safety Services will ask the appropriate police/community safety teams for two three monthly updates on levels of activity at sites where benches remain in place.
- viii) Consideration of benches being re-installed will be subject to the planned process outlined above.