

24 June, 1997.

Circular LS 1/97

## Artistic Embellishment Scheme

### **1. Background**

I am directed by the Minister for the Environment to refer to Circular Letters N8/86, N8/87 and N4/89 concerning the provision of Artistic Features in Local Authority Projects.

The scheme established by these circulars has been under review as part of the Public Art Research Project.

The overall aim of that project was to facilitate more effective promotion of art in the public sector by developing a strategy which furthers the commissioning of art in a variety of sectors, in particular by public authorities.

The project specifically focused on the 'Per Cent for Art' schemes administered by the Department of the Environment and the Office of Public Works, and examined them in the context of contemporary visual arts practice generally.

Following the completion of the Public Art Research Project, and the acceptance of its findings by the Government, it has been decided to review and revise the Department's Artistic Embellishment Scheme.

A copy of the report prepared by the Steering Group of the Public Art Research Project is enclosed for your information.

This circular is intended to outline the revised conditions of the scheme. Comprehensive guidelines to generally assist local authorities in the operation of the scheme are being prepared and will issue to local authorities as soon as possible. The guidelines will be common to all Departments with a Per Cent for Art Scheme.

### **2. Administrative Procedures**

Revised administrative procedures for the scheme are as follows:

- 2.1. The scheme is now titled "Department of Environment Per Cent for Art Scheme".

- 2.2. The scheme is applicable to all construction projects financed or recouped by the Department.
- 2.3. Applications for approval to include an art project must form part of the original application for funding for the construction project in question. The application is to be made to the section of the Department which administers the construction project.
- 2.4. Applications in respect of non-national road improvement works projects, administered by Road Works Section of the Department, should be confined to those construction projects where:
  - (a) the length of the new road constructed would be
    - in the case of a road in an urban area, 100 metres or more, or
    - in the case of a road in any other area, 1 kilometre or more, or
  - (b) the construction of a bridge or tunnel.
- 2.5. Local authorities should send a copy of the proposals for the art project and the artists brief to Local Services Section of the Department, for information.
- 2.6. Approval for funding the construction project and the art project must be received by the local authority before any commissioning process for the art project is undertaken.
- 2.7. The commissioning of the art project will continue to be the responsibility of the local authority.

The sanction of the Minister is not required for contracts connected with art projects. It is important, however that commissions are run in an open and fair manner.

Commissioning procedures will form part of the more detailed guidelines on operating the Per Cent for Art Scheme which will issue to local authorities at a later date.

### 3. Financial Arrangements

Revised financial arrangements for the scheme are as follows:

- 3.1. The allocation for the art project should be calculated on the basis of the overall construction cost of the project and be included in all budget documents related to the construction project.
- 3.2. The upper-limit on the allocation for an art project has been revised. In making this revision, account has been taken of the fact that there are now some construction projects with very large budgets and for which the previous upper-limit of € 25,394.76 is inadequate.

The new upper-limits are as follows:

- Local authorities are allowed dedicate 1% of funding to an art project for construction projects costing up to € 2,539,476 - giving a maximum budget of € 25,394.76 for the art project.
- For projects costing between € 2,539,476 and € 6,348,690.39, a further 1% of the excess over € 2,539,476, up to € 12,697.38 is allowed - giving a maximum budget of € 38,092.14 for the art project.
- For projects between € 6,348,690.39 and € 12,697,380.78, a further 1% of the excess over € 6,348,690.39 up to € 12,697.38 is allowed - giving a maximum budget of € 50,789.52 for the art project.
- For projects costing in excess of € 12,697,380.78, a final 1% of the excess over € 12,607,380.78 up to € 12,697.38 is allowed - giving a maximum budget of € 63,486.90 for the art project.

Thus the overall maximum budget available to a construction project for an art project is raised from its current level of € 25,394.76 to € 63,486.90.

- 3.3. It is open to local authorities to pool funds generated for art projects in the following circumstances:
  - For smaller projects, local authorities may accumulate a pool of funds from a number of construction projects in order to make the funding of an art work more worthwhile.

Typically the construction projects concerned would be in the same area and be underway concurrently or within 12 months of each other. For the purposes of pooling, smaller projects are defined as those with a construction cost of less than €634,869.04.

- At present the OPW and Department of Arts Culture and the Gaeltacht also operate a Per Cent for Art scheme. Other public authorities undertake art projects on a more ad hoc basis. The number of public bodies operating Per Cent for Art schemes will expand in the future. Local authorities are allowed cooperate with other participants in Per Cent for Art Schemes by combining funds generated by different Per Cent schemes to co-fund a suitable art project.

In both these cases, the local authority should indicate their intention to pool funds when making their application for funding as set out at 2.3 above.

#### 4. Further Information

Any general queries in relation to the conditions of the scheme should be addressed to Local Services Section of the Department.

Queries in relation to particular Per Cent for Art projects should be initially addressed to the section of the Department dealing with the associated construction project.

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