

## **APPENDIX FIVE**

### **Guidelines on applications for the installation of plaques, memorials, artworks and other structures in parks, open spaces and highways. LBTH 2016**

#### **1. Introduction**

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

The Council is occasionally approached with queries from individuals and organisations about placing plaques and structures in its parks and open spaces. In order to manage and deal with such requests in a fair and transparent way we have created these guidelines which provide both information for potential applicants and for staff processing these applications.

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. They can also detract from the aesthetic of a natural environment in a built up area and contribute to a cluttering of parks and open spaces with too many structures and signage.

This document aims to

- provide guidance to anyone who is considering proposing the installation of a memorial, public art or structure;
- be explicit about the type and quality of proposals the Council is willing to consider
- guide the applicant through the application process

##### **1.2 What kind of proposals are covered by this guidance**

###### **1.2.1 Standard Items –**

###### **Memorial Benches (has fee structure)**

Applicants can apply for benches to be installed in parks in memory of loved ones. These will mainly be replacements for old benches, but additional benches in new locations may sometimes be considered. There may also be an opportunity to place a plaque on an existing bench.

Plaques are permitted on benches. Memorial plaques will be bought through the Council. The inscription on the plaque is to be restricted to “in the Memory of” the name of the person and dates of birth and death.

Wording such as “beloved wife and mother of” will not be permitted. The engraved plaque will be fitted to the bench by the Council.

The Council will maintain memorial benches but accepts no replacement liability for the bench or the plaque at the end of its useful life.

The application form can be found [here](#)

### **Commemorative Trees (has fee structure)**

Applicants can apply for trees to be planted in parks in memory of loved ones.

Locations for tree planting have been identified within certain parks with the borough and species have been selected that will enhance the park landscape and have sufficient room to grow and flourish. Alternative choices of species or location can be considered but planting can only take place where it fits in with the park development and maintenance plans. Plaques are not permitted on sponsored trees.

The Council will maintain sponsored trees. If the tree fails to thrive in the first 5 years, the Council will arrange for it to be replaced at no extra cost.

The sponsored tree application form can be found [here](#)

### **Ecological Enhancements (sponsorship negotiable)**

Applicants can apply to sponsor ecological enhancements within certain parks within the borough. This could include bulb planting, meadow enhancement and upkeep of nature trails.

More information can be obtained by contacting the Parks Manager at [parks@towerhamlets.gov.uk](mailto:parks@towerhamlets.gov.uk).

The Ecological Enhancement application form can be found [here](#)

## **1.2.2 Non Standard Items**

### **Memorials**

A monument intended to celebrate or honour the memory of a person or an event. These can be statues, fountains, mosaics, park structures, and plaques on walls

### **Public Art**

These are works of art in any media that are planned with the intention of being sited in any open space and accessible to all. Such works may

be site specific or new commissions created as part of wider development on new sites.

### **Park Structures**

These could be structures such as gates and railings and other types of park infrastructure

## **2. Issues to bear in mind when applying – please see appendix 1 below**

### **2.1 Planning Permission**

Please bear in mind that, in addition to this application process, Tower Hamlets planning policies, contained in the Core Strategy (2010) development policies and supplementary planning documents and the local development framework will apply to all proposals for the development of artworks and memorials. Neighbourhood planning may also have a bearing on proposals.

### **2.2 Context**

Research should be carried out before deciding to make a proposal to the Council to ensure the chosen site is appropriate. In the case of major memorials such as statues and monuments proposals must have a direct link to the site in which it is proposed to be placed and relevant information should be included within your application

#### **Local People**

Tower Hamlets is, and has been the home of many people who have had a profound impact on the local life or have an important connection with the local community.

#### **Commemoration**

Plaques and monuments may commemorate people, events or other local points of interest

#### **Visual impact**

Public art and well-designed memorials can positively contribute to the look and feel of places.

### **2.3 Quality**

Tower Hamlets wants to ensure that any new artworks and memorials are of the highest quality and that they respect and enhance existing landscapes, streetscapes and enrich the vibrant and diverse feel of the borough. The quality of a proposal can be enhanced by commissioning experienced artists and by using an experienced panel of people 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 Tower Hamlets through high quality art.

With some types of proposals such as a substantial memorial its always worth considering employing qualified architects and landscape architects as their professional guidance and judgement can greatly enhance a proposal.

As well as the aesthetic quality of the proposal, a judgement will be made on the quality and suitability of the materials to be used. Consideration of this will need to be given during the concept phase of the development of the proposal. Applicants will need to show that their chosen materials are sympathetic to the local area, appropriate for their location and durable and straightforward to maintain. There may be exceptions to this for proposals for short term, temporary installations.

## **2.4 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 parks and open spaces there are also schools, colleges and medical facilities, sheltered housing and hostels, community centres, libraries, idea stores 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. Permission from the relevant landowners must be sought at all times.

Through consultation with officers representing Parks and Open Spaces it may become apparent that a particular site may require new gates, railings, water fountains or other park structures which may provide an alternative option.

Consideration could be given to partnering with a company or business who would like to sponsor the development and future maintenance of a memorial artwork or other park structures

## **2.5 Diversity**

Tower Hamlets 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 and that commemorate and celebrates people and events that have important connections to the local community.

## 2.6 The 20 Year principle

The death of a well-known or prominent person or a major 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, it could result in memorials of poor quality and ones that do not stand the test of time and therefore may in years come to feel inappropriate.

For these reasons our guidance is that there should be a pause of 20 years after the event or death of a person to allow time for reflection, planning and gaining support for a proposal. **Note that this principle does not apply to proposals for plaques, trees and park structures**

In the shorter term it may be appropriate to plan a temporary memorial such as a planting scheme in an existing garden

There may be exceptions to this principle which may mean it is appropriate to agree the siting of a memorial object sooner. Where there is a compelling reason for an exception to be made, and the proposer has gained wide public support and has met all other criteria outlined in this guidance, Officers will recommend consideration of the proposal to the Corporate Director of Communities Localities and Culture, and the Service Head for the Site with the whom the final decision will rest

## 2.7 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 of 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 the Council assesses that a proposal poses unacceptable safety concerns or has the potential for attracting anti-social behaviour it may not be approved.

## **2.8 Support**

If the applicant is not the landowner, proof will be needed to prove that the proposal has the full support of the owner. No proposals will be considered without proof of landowner support.

It will need to be demonstrated that engagement has taken place with the local people and organisations (where appropriate) support the proposal. The level of support would be proportionate to the impact of the proposal. For example, for a memorial planting, consultation with a local friends group may be sufficient but for a significant statue commemorating a person or an event, more substantial support will need to be proven, both from individuals and organisations with an interest in the proposal. As well as demonstrating support, applicants will also need to show that they have engaged all interested parties in an inclusive and open manner.

## **2.9 Temporary installations**

Tower Hamlets Council 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 a suitable length of time for a temporary proposal with the applicants, dependant on the site and the nature of the artwork.

## **3. 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, the Council will need to be satisfied by the arrangements for the future maintenance. Responsibility for maintenance and security can rest with any of a number of institutions. Artworks and monuments are currently maintained by Royal Historical Palaces, Tower Hamlets Council, 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.

The Council 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 the Council. This must include the continuing maintenance and repairs of the structure including such things as graffiti removal and cleaning of moss or lichens.

### **3.2 Costs**

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 the Council regarding these works.

Where it is proposed to gift a new artwork to the council, a one –off commuted sum payment may 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.

When developing a proposal consideration will need to be given to the following. It may be that legal advice will be needed 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, artwork or park structure on our land. We will of course make every effort to contact the owner and/or artist 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 the parks or highway improvement or realignment works.

## **4. Background Information**

### **4.1 Tower Hamlets Parks and Open Spaces**

Tower Hamlets has over 120 parks and green spaces for everyone to enjoy. These are treasured by the local community whether they are small pocket parks, local parks or parks of national repute such as Victoria Park and Mile End Park.

There are many spaces located within housing developments that may be managed by Registered Social Landlords and these would fall outside the Council guidance.

### **4.2 Character assessments of Tower hamlets owned, or managed sites of major importance**

A great majority of parks and open spaces managed by Tower Hamlets are given either protection under the London Squares Protection Act 1931 or are included in our planning policies as having special character, in a nature conservation area, or in a strategic view corridor. Further details can be found on the the following link:

<http://www.towerhamlets.gov.uk/idoc.ashx?docid=8a2824ff-a340-4d88-bd84-54d1fc3f1bfe&version=-1>

## **5. 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 involved lengthy negotiations, consultation and fund raising. It is important, therefore, that a realistic timescale is allowed for the project.

Experience has shown that a minimum period of a year should be allowed to develop an idea for a memorial, artwork or installation of a



park structure to a stage at which it is appropriate to apply for planning and other permissions.

The Council should always be contacted for advice at an early stage and certainly before commissioning anyone to work up a particular concept for any site. The Parks Infrastructure Officer can be emailed on [parks@towerhamlets.gov.uk](mailto:parks@towerhamlets.gov.uk) or by telephone on 020 7364 7459 or 020 7364 2253.

After initial discussions with all interested parties, the principle of the proposal will be considered by The Council. Decision making meetings will be held quarterly to consider officer recommendations on any proposal agreed. If a proposal is felt to be significant (either in its nature or impact), then the views of experts in the field may also be sought. Officers will then advise the applicant if the proposal has been supported or refused and if supported, whether they will need to submit the proposal for planning permission and any other permissions and consents that may be required.

## **6. Guide for applicants – before developing your proposal**

### **6.1 Have you reviewed the following?**

Check the status of the park or open space in question and discussed with officers what kinds of development the Council might consider.

### **6.2 Contacts and links**

#### **Permission of the land owner**

You will need to contact the Head of Arts, Parks and Events before starting to develop any kind of proposal.

Contact: Parks Infrastructure Officer at [parks@towerhamlets.gov.uk](mailto:parks@towerhamlets.gov.uk) or by telephone on 020 7364 7459 or 020 7364 2253.

#### **New or temporary art commissions**

Have there been discussions on your proposal with The Arts and Events team? More details can be found on the following link:

[http://www.towerhamletsarts.org.uk/?guide=Events&page=events\\_categories](http://www.towerhamletsarts.org.uk/?guide=Events&page=events_categories)

#### **Planning permission**

If planning permission is required have you had discussions with the planning service? There are costs attached to planning applications and you would be well advised to obtain permission in principle for a piece before applying for planning permission

[http://www.towerhamlets.gov.uk/lgsi/451-500/485\\_planning\\_applications.aspx](http://www.towerhamlets.gov.uk/lgsi/451-500/485_planning_applications.aspx)

## **Planning Policies**

Check the Council's planning policies. Planning permission is likely to be required for the development of artworks, memorials and possibly the installation of any new park structures. You should refer to the relevant planning policies in the Local Plan and Managing Development Document Policies and Supplementary Guidance. Relevant policies can be found on the following links:

Local Plan (Core Strategy) (2010)

[http://www.towerhamlets.gov.uk/lgsi/451-500/494\\_planning\\_guidance/local\\_plan.aspx](http://www.towerhamlets.gov.uk/lgsi/451-500/494_planning_guidance/local_plan.aspx)

Managing Development Document (MDD) 2013

<http://www.towerhamlets.gov.uk/ldoc.ashx?docid=930fdc90-5ac8-46ae-b122-a41de2d9f7ae&version=-1>

Supplementary Guidance

[http://www.towerhamlets.gov.uk/lgsi/451-500/494\\_planning\\_guidance/supplementary\\_guidance.aspx](http://www.towerhamlets.gov.uk/lgsi/451-500/494_planning_guidance/supplementary_guidance.aspx)

Conservation Strategy

[http://www.towerhamlets.gov.uk/lgnl/environment\\_and\\_planning/conservation.aspx](http://www.towerhamlets.gov.uk/lgnl/environment_and_planning/conservation.aspx)

Tree Management

[http://www.towerhamlets.gov.uk/lgsi/501-550/505\\_tree\\_management\\_preservation.aspx](http://www.towerhamlets.gov.uk/lgsi/501-550/505_tree_management_preservation.aspx)

You should contact the Tower Hamlets Planning Section at an early stage and before you submit a planning application to check whether planning permission is likely to be granted for your proposal

Tower Hamlets Council Website – Links

Tower Hamlets Planning

They include advice on specific planning policies

Arboriculture Services (The Tree Team) are responsible for managing trees on Council-owned land, and for tree maintenance and planting contracts undertaken for other services within the council, including housing estates and street properties, parks, education and social care sites and street trees

Planning portal – this is the national portal which gives access to advise on planning issues. It can also be used to submit and view planning applications

Departmental of Culture Media and Sport- this Government department is responsible for ensuring that the historic environment of England is properly protected and conserved for the benefit of present and future generations

English Heritage – Has the responsibility for championing historic places and advises government and others how to get the best out of our heritage and protect future generations

## **7. Taking your proposal forward**

### **7.1 Initial Considerations**

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 the Council 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

### **7.2 Who gives consent that your proposal meets this guidance?**

Assessment of your proposal will be coordinated by an officer who will also guide you through the process. They will also inform ward councillors if and when required about your proposal.

Your proposal will then be presented to an “Officer Panel” that meets on a quarterly basis to consider such requests. If the panel are satisfied with your proposal, they will recommend it for approval to the Corporate Director, who will make the final decision in conjunction with the relevant Service Head.

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 the 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, then you do have a statutory right to appeal against the refusal of planning permission. This following link shows you how to do this:

<http://www.towerhamlets.gov.uk/idoc.ashx?docid=bcf617ae-1c37-4a1a-ade5-7481fdc24583&version=-1>

### **7.3 Final stage**

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

## **8. Making your application**

### **8.1 How to apply**

Applications for permission can only be made on line via The Tower Hamlets Website. The on-line form will guide you through the application process and the information and documentation you will need to provide. Before you start using the form please make sure you have the following:

### **8.2 Document checklist**

- A Plan of the site with the proposal location marked in red
- Drawings and images
- Letter of the site owner confirming consent to the proposal (if appropriate)
- Consultation feedback documents
- Any other relevant information as outlined in Appendix 1

# Application Form

## ***About this request***

Please select the option that best describes this request

I am filling this form for someone else

I am filling this form for myself

## ***About the applicant:***

Type:

Charity

Limited Company

Individual

Limited Liability Partnership

Sole Trader

Other Organisation

## ***Applicant***

Forename

Surname

Organisation Name

Address

Tel No

Email Address:

## ***Site Details:***

We need to know the following details about the site

Enter the site postcode below to search for a Tower Hamlets address.

Alternatively you can type the details into the box below

Site address

Name of owner

Address of the owner

Owners Telephone

Owners email

### ***The proposal***

We need to know the following details about the proposal itself.

Give full details of what you are proposing including dimensions, materials and landscaping. Please also include drawings, sketches and photographs if these are available (you will be able to upload these at the end of this form)

Connection between the object and the site

Let us know why this object is particularly suited to this site

### ***Memorial Objects***

Is this proposal for a memorial object? Yes / No

If yes:

Name of the person or event being commemorated

Date the person being commemorated died or when the event happened:

Description of the person or event's connection with Tower Hamlets or Tower Hamlets communities

***Temporary installation***

Is this a temporary installation    yes    /    no

Please let us know the length of time you would like the object to be in place and why

***Future Works***

Have you checked that the site in which you wish to install the object in will not be affected by work or development in the near future?

Yes    /    No

If yes

Please give details of the information sources you have checked

***The Artist***

Has the artist already been chosen?

Yes    /    No

If Yes:

Artist Name:

Examples of previous commission (you can also upload photographs at the end of this form

Please enter hyperlinks to any biographical information of images to previous works:

If No

Please give us details of commissioning process you will be undertaking

### ***Consultation***

Give details of the consultation methods used, including the number of bodies/people/households etc..mailed out or contacted, consultation methods used, dates of meetings etc..



Gives details of all feedback you received and how it changed your proposal (if appropriate)

### ***Site ownership***

Please give us the following details about the ownership of the proposed site. You will be asked to upload a copy of the letter from the site owner where their consent has been given for this proposal at the end of this form

Owner Name  
Company Name  
Address  
Tel No

### ***Funding***

Please give details of the full cost of the proposal, broken down into phases from conception to installation

Give details of how the funding for this proposal has been secured

Give details of the estimated cost of future maintenance and how this will be guaranteed

### ***Public Liability insurance***

How much cover will be secure, what will be covered by the insurance and how will the payment of future premiums be guaranteed?

### ***Upload documents***

Please ensure you have included scanned or electronic copies of the following (where appropriate):

- Plan of the site with the proposed location marked in red
- Drawings
- Sketches
- Photographs
- Letter from the site owner where their consent has been given
- Consultation feedback documents

## Appendix 1

**Applicants should ensure their proposal meets all the relevant criteria – see table below**

Type of Structure	Planning	Quality	Link to site	Safety	Consent of Landowner	Public support/consultation	Future Maintenance Cost	Street works Licence if on highways	
Large Monuments/Artworks	√	√	√	√	√	√	√	√	
Sculptures, Statues	√	√	√	√	√	√	√	√	
Temporary Art Installation	√	√		√	√			√	
Parks Infrastructure e.g. walls and gates	√	√		√	√	√			
Benches		√		√	√			√	
Trees		√		√	√			√	
Shrubs		√		√	√				
Memorial Plaques on Benches		√	√	√	√		√	√	
Plaques of Public Figures	√	√	√	√	√	√	√		