

Report to Cabinet

Thursday, 23 November 2023

By the Cabinet Member for Leisure, Culture and Green Spaces

DECISION REQUIRED



Partnership between Horsham District Council and The Shelley Memorial Project Community Interest Company

Executive Summary

Horsham District Council has been working with the Shelley Memorial Project for some time to support their ambition to establish a lasting public memorial to the poet Percy Bysshe Shelley. This report proposes that HDC signs up to a Memorandum of Understanding in order to formalise the relationship with the Shelley Memorial project company.

Recommendation

That Cabinet:

(1) agrees the formation of a partnership between Horsham District Council (HDC) and The Shelley Memorial Project Community Interest Company (SMP), and,

(2) delegates authority to the Director of Communities, in consultation with the Head of Legal and Democratic Services, to finalise the terms of and enter into any required documentation to give effect to the partnership and the subsequent transfer of the memorial to HDC.

Reasons for Recommendations

To enable HDC to support the SMP, enabling the group's vision of a lasting memorial to the poet Percy Bysshe Shelley to be realised. To provide a location within Horsham Park for the resulting sculpture and to take on ownership of the artwork once it is installed.

Background Papers

None

Wards affected: Denne

Contact: Paul Anderson, Director of Communities.

Background Information

1 Introduction and Background

- 1.1 The Shelley Memorial Project Community Interest Company (SMP) was incorporated in May 2023. Its aim is to establish a lasting public memorial to the poet Percy Bysshe Shelley – for public enjoyment, inspiration and education and to commemorate Horsham’s most famous citizen.
- 1.2 The SMP’s members include local community representatives from Horsham and the District, leading academics with an interest in the poet’s substantive works and experts from national arts institutions.
- 1.3 Horsham District Council (HDC) is supportive of the SMP’s wish for a lasting public memorial and has agreed to host the resulting sculpture within Horsham Park so that it is accessible and able to be enjoyed by all of the community.
- 1.4 The partnership will enable a joint approach to the project, promoting and engaging with the public to gain support for the resulting memorial. This should also enable the SMP to fundraise effectively in order to commission the artwork.

2 Relevant Council policy

- 2.1 Council Plan 2023 – 2027 A fresh vision for Horsham District: Invest in local arts and leisure and foster civic pride.

3 Details

- 3.1 Percy Bysshe Shelley (Shelley) is one of the major English romantic poets and is internationally known as one of the most influential poets in the English language. He was born in Warnham, in Horsham, in 1792 and spent his early years in Field Place.
- 3.2 A sculpture entitled ‘Rising Universe’ by Angela Conner was installed in Horsham town centre in 1996. It was commissioned to commemorate the bicentenary of the birth of Shelley and contained a plaque with an excerpt from his 1817 poem ‘Mont Blanc’. The public had mixed views about the sculpture, particularly due to the working mechanism and maintenance implications. In 2016, after seeking the views of local residents, HDC voted to remove the sculpture.
- 3.3 Over the last few years, HDC has been working informally to support the SMP in achieving their vision for a lasting memorial to Shelley. HDC and SMP have now agreed to work in a more formal partnership manner to ensure that the shared objectives and approach are defined through a Memorandum of Understanding.
- 3.4 The shared intention in commissioning a lasting public memorial is to:
 - Celebrate the achievement of a major literary figure from the Horsham community
 - Provide literary, historical and philosophical inspiration to Horsham residents and visitors

- Highlight Horsham's place within the UK's cultural and historical heritage
- Represent and inspire the talent within Horsham District's community, with a particular emphasis on young talent as represented by Shelley's phenomenal body of work achieved in his young life.

- 3.5 The Partnership of HDC and the SMP will jointly manage the commissioning process, providing support to the shortlisted artists and the final chosen artist.
- 3.6 The Partnership will ensure that a public consultation takes place allowing members of the public to express their preferences and views of the shortlisted artistic concepts.
- 3.7 The agreed location for the memorial is in the central Circus area of Horsham Park, where the main paths meet and near the pond. This will give the sculpture prominence for all in the community to enjoy and ensure it is easily accessible.

4 Next Steps

- 4.1 A Memorandum of Understanding will be agreed between HDC and the SMP.

5 Views of the Policy Development Advisory Group and Outcome of Consultations

- 5.1 The Leisure, Culture and Green Spaces Policy Development and Advisory Group was consulted on 14 November 2023 and was supportive.
- 5.2 The Monitoring Officer and Director of Resources have been consulted to ensure financial and legal probity.
- 5.3 Denne Neighbourhood Council has been invited to attend Partnership meetings and will be updated throughout the project. The Friends of Horsham Park are members of the SMP and are consulted regularly.

6 Other Courses of Action Considered but Rejected

- 6.1 The SMP is responsible for all fundraising for the commissioning of the memorial. The Council has also ringfenced Section 106 funding of £10,000 to be used within a period of five years.
- 6.2 The Council will support with in-kind offers utilising staff time, communications channels and premises where appropriate.
- 6.3 Once the sculpture is complete and installed in Horsham Park, the ownership will transfer to The Council. Therefore, all ongoing future costs for maintenance, insurance, inspections, cleaning etc will be the responsibility of the Council and this will have an ongoing negative revenue implication.

7 Resource Consequences

- 7.1 The SMP is responsible for all fundraising for the commissioning of the memorial. The Council has also ringfenced Section 106 funding of £10,000 to be used within a period of five years.
- 7.2 The Council will support with in-kind offers utilising staff time, communications channels and premises where appropriate.
- 7.3 Once the sculpture is complete and installed in Horsham Park, the ownership will transfer to The Council. Therefore, all ongoing future costs for maintenance, insurance, inspections, cleaning etc will be the responsibility of the Council and this will have an ongoing negative revenue implication.

8 Legal Considerations and Implications

- 8.1 The Cabinet has the authority to form partnerships with other organisations.
- 8.2 All legal documentation required to give effect to the partnership and subsequent transfer of the memorial to HDC will be undertaken by the Legal Services team.

9 Risk Assessment

- 9.1 The key risk is that the project may take many years for fundraising to be complete and costs of materials are likely to increase. This may leave a funding gap or could mean that the fundraising is spread over the long-term.
- 9.2 Although there will be a public consultation on the shortlisted artists, there is a risk that public sentiments change and the resulting sculpture does not gain community support when installed. The Partnership of HDC and SMP will ensure that there is ongoing engagement with the public throughout the project enabling full feedback and consultation.

10 Procurement implications

- 10.1 The SMP will be leading the procurement of the final artist, with HDC involvement and support throughout. An open competitive process has been followed in-line with best practice.

11. Equalities and Human Rights implications / Public Sector Equality Duty

- 11.1 The Partnership will ensure that both HDC and SMP resources are used to facilitate the public consultation on the shortlisted artists and will be designed to meet the needs of all groups with protected characteristics, as defined by the Equality Act.
- 11.2 The Partnership will also look to engage people of all ages from across the District in the heritage of Shelley's poetry and the wider historical landscape.

12 Environmental Implications

- 12.1 The final sculpture design may have environmental implications depending on the materials chosen by the winning artist. HDC will also have responsibility and oversight for the installation methods and environmental impact when the memorial is installed in Horsham Park.
- 12.2 HDC is the planning authority, the SMP and chosen artist will need to meet all planning obligations. The final application will go to Planning Committee for consideration and authorisation.

13 Other Considerations

- 13.1 GDPR legislation will be adhered to by both HDC and SMP.
- 13.2 There is little expectation of any crime associated with the installation of a memorial in Horsham Park. Vandalism may be expected periodically and all shortlisted artists have been asked to ensure that the materials are easy to clean and the designs are suitably robust. If the memorial is vandalised to a point where it is either dangerous or beyond repair, it may need to be removed and placed into storage. It will be insured appropriately to mitigate against this potential situation but there is the risk of additional costs that would need to be considered at that time.

APPENDICES TO REPORT

Proposed Memorandum of Understanding

