



**Horsham
District
Council**



**Shelley
Memorial
Project**

Horsham District Council and the Shelley Memorial Project Partnership

Memorandum of understanding

9th November 2023

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1 Background

1.1 Horsham District Council (The Council) and the Shelley Memorial Project Community Interest Company (SMP) have formed this partnership to jointly deliver a lasting public memorial sculpture to the poet Percy Bysshe Shelley. The memorial will celebrate and commemorate 'the most eminent person to whom Horsham can lay claim', and his works. The intention in delivering this memorial is not only to celebrate the achievement of a major literary figure from the Horsham community, but also to:

- Provide literary, historical and philosophical inspiration to Horsham residents and visitors,
- Highlight Horsham's place in our country's cultural and historical heritage,
- Represent and inspire the talent within our community, with a particular emphasis on young talent as represented by Shelley's phenomenal body of work, achieved in his young life.

2 Partnership Aims and Objectives

2.1 The overarching aim of this partnership is to deliver a lasting public memorial sculpture to Percy Bysshe Shelley.

2.2 Specific objectives are:

2.2.1 For the SMP and the Council to constitute a 'Partnership' to jointly manage the project to which will be invited additional specialists where appropriate.

2.2.2 The 'Partnership' will be responsible for arranging a 'Selection Panel' for determining the preferred artist to deliver the memorial sculpture.

2.2.3 The 'Selection Panel' will comprise four (4) voting SMP representatives and three (3) voting Council representatives. Invitations to attend the 'Selection Panel', as non-voting members, shall be offered to Horsham Denne Neighbourhood Council and the Friends of Horsham Park.

2.2.4 The 'Partnership' will jointly manage the commissioning process, provide support to the shortlisted artists and the final chosen artist.

2.2.5 For the SMP and the Council to agree and undertake a public consultation exercise and consider overall responses to the four shortlisted artist's concepts.

- 2.2.6 The public consultation exercise shall include a voting system giving members of the public an opportunity to rank all the artists' concepts, relative to each other, based on their individual preferences.
- 2.2.7 The 'Selection Panel' will consider all the results of the public consultation exercise including the 'preferential' voting before making its final decision on the preferred artist in line with the voting allocation in Section 2.2.3.
- 2.2.8 The 'Selection Panel' will forward their recommendation to the Council for consideration and final confirmation as landowner. It is expected that this confirmation will be a formality following the collaborative delivery and commissioning process as set out in this Memorandum of Understanding. It is appreciated that the Council, as landowner, reserves the right of confirmation to take account of any unforeseen circumstances which may have occurred, in the interim, which may unduly affect the Council's overall reputation.

3 Partnership Activities and Contributions

- 3.1 Contributions and activities to be delivered by the Partnership are:
 - 3.1.1 The Council will provide a site for the installation of the memorial which will be the centre of the 'Circus Area' within Horsham Park as has been advised to the shortlisted artists.
 - 3.1.2 The Council, if required, will consider alternative locations if requested to do so by the Partnership, with the agreement of the artist, if this will result in a better-quality outcome when considering the sculpture and its relationship with the space around it.
 - 3.1.3 The Council has confirmed the provision of Section 106 funding support of £10,000 for use within a period of five years.
 - 3.1.4 The Shelley Memorial Project group will provide support of £500 to three of four shortlisted artists with the Council providing a further £500 to allow the four shortlisted artists to develop their proposals in more detail prior to the public consultation.
 - 3.1.5 The Council may consider further S106 financial support of up to £5,000 subject to the agreement of Denne Neighbourhood Council.
 - 3.1.6 Once the memorial has been successfully installed, the Council will be responsible for its future maintenance and upkeep in perpetuity.
 - 3.1.7 The Council will arrange appropriate insurance cover.

- 3.1.8 The Council and the SMP will agree arrangements for the 'gifting' of the completed artwork to the Council. The SMP will directly commission the chosen artwork.
- 3.1.9 The Council will use its Communications Team to promote and conduct the public vote on the shortlisted artists' concepts. The results of the public vote will be reported to the 'Selection Panel' to consider in determining the preferred artist.
- 3.1.10 As part of the public consultation exercise, the SMP will lead on the promotion of the commission and the public engagement programme, particularly looking to consult with a range of local groups, schools, and under-represented communities. The Council's Communications Team will assist wherever possible.
- 3.1.11 The SMP will be responsible for fundraising to achieve a memorial budget of approximately £100,000. The Council's Communications Team will promote any fundraising events organised by the SMP.
- 3.1.12 The SMP will be responsible for making payments to the artist according to any payment schedule.
- 3.1.13 Initially the SMP will be the main point of contact with the shortlisted artists and preferred artist prior to installation. The Council will be the main point of contact during the installation phase as landowner and to meet its statutory responsibilities.
- 3.2 The initial timeframe for partnership activities will be up to five (5) years, commencing from the date of this MOU.
- 3.3 The Partnership will annually review activities to ensure that they are being delivered as agreed, and that they are having the intended impact.
- 3.4 The Council and the SMP may terminate the Partnership at any time giving 30 days' notice.

4 Partnership Governance

- 4.1 The Partnership shall meet quarterly. The Council will provide a suitable 'hybrid' meeting venue.
- 4.2 The 'Partnership' shall comprise the following members:
 - A: The Council: Cllr Martin Boffey – Council Leader, Cllr Jon Olson – Cabinet Member for Leisure, Culture and Green Spaces, Cllr James Brookes –

Deputy Cabinet Member for Leisure, Culture and Green Spaces, Head of Leisure and Culture or another Horsham District Council officer, or their respective successors in the above roles.

B: The SMP: Alison Caldwell, Carol Hayton, David Hide, Steve Sandham or their respective successors in the above role

C: Additional specialists where appropriate.

4.3 Organisations may provide alternative representatives to those listed above, to attend meetings as necessary, so long as both Partnership Leads are informed in advance.

4.4 As set out at Section 2.2.3: The 'Selection Panel' will comprise four (4) voting SMP representatives and three (3) voting Council representatives. Invitations to attend the 'Selection Panel,' as non-voting members, shall be offered to Horsham Denne Neighbourhood Council and the Friends of Horsham Park.

4.5 The Council, as the Local Planning Authority, will determine the planning application for the installation of the memorial to be submitted by the chosen artist and/or the SMP.

5 Designated Partnership Leads

5.1 The Council and the SMP will appoint two members to lead on the work of the partnership on a practical, operational, day to day basis, between the quarterly meetings of the Partnership.

5.2 The designated partnership leads will be: Two Horsham District Council officers interchangeable between the Head of Leisure and Culture, Nikki Caxton, Curator of Horsham Museum and Clive Burley, Corporate Project Manager.

5.3 The SMP Partnership Leads will be: Carol Hayton and David Hide.

6 Disclaimer

6.1 It should be noted that by signing this document or by participating in the partnership, the partners are not committing to legally binding obligations. It is intended that the partners remain independent of each other and that their collaboration and use of the term 'partner' does not constitute the creation of a legal entity, nor authorise the entry into a commitment for or on behalf of each other.

Signed on behalf of Horsham District Council

Cllr Jon Olson, Cabinet Member for Leisure, Culture and Green Spaces

Signature Date xx November 2023.

Signed on behalf of Shelley Memorial Project Community Interest Company. Company number: 14889435

David Hide, Director of Shelley Memorial Project Community Interest Company

Signature Date xx November 2023