

Report to: Charity Committee

Date of Meeting: 26th June 2017

Report Title: The Landing

Report By: Monica Adams-Acton
Assistant Director for Regeneration and Culture

Purpose of Report

The report describes the current status of “the Landing” sculpture and recommends that the Foreshore Trust accepts ownership of the sculpture.

Recommendation(s)

- 1. That the Charity Committee agrees that the Foreshore Trust will accept ownership of “the Landing” sculpture from September 14th 2017.**

Reasons for Recommendations

The sculpture is located on Foreshore Trust land and was commissioned by Hastings Borough Council to mark 950th anniversary of the Battle of Hastings. It is normal practice for the ownership of public art to pass to the commissioner or landowner.

Introduction

1. “The Landing” is a sculpture designed by Hastings based artist Leigh Dyer and was commissioned by Hastings Borough Council as part of the Root 1066 Festival and celebration to mark the 950th anniversary of the Battle of Hastings in 2016.
2. The sculpture was built and installed by Leigh Dyer and the British Artist Blacksmiths Association (BABA) who generously gave time and resources to the project.
3. The proposal for the sculpture received planning permission on 18 June 2016 under application number HS/FA/16/00151 and was installed in September 2016.
4. The sculpture is located on the Hastings seafront pebble beach well below the high tide mark at a point which is adjacent to the Carlisle public house (see appendices for map), therefore on land owned by Hastings Foreshore Trust.
5. The sculpture is made from galvanised mild steel with an electro polished stainless steel 316 figurehead.

Background

6. When an art piece has been installed in the public realm, it is usual for the ownership of the piece to be retained by the artist for a 12 month “settling” period in order to establish any issues of maintenance which may not have been anticipated at the time of design or fabrication. For this reason, a licence was issued which ascertained the continued ownership of “the Landing” as being retained by the artist Leigh Dyer while permitting the artwork to be sited on Foreshore Trust land.
7. This meant that all responsibilities for the sculpture were retained by Leigh Dyer, including maintenance and public liability insurance.
8. Since the installation bi-monthly inspections of the sculpture have been conducted by the artist and Council officers and there has been no evidence of degradation or any indication of a need for maintenance work either now or in the foreseeable future.
9. The sculpture is secured beneath the shingle by a steel substructural foundation 2 m x 1 m x 0.8 m at a depth of 1m and filled with pebbles, with a loading weight of 4 tons. There has been no movement in the position of the sculpture which might indicate a possibility of long term movement of the installation on the shingle. Its location remains firmly fixed and it is situated on a stable shingle bank.
10. A report by certified structural engineers Steve Evans Associates confirms that the sculpture is securely fixed in situ and will not be subject to any movement caused by wind or natural pebble movement.

Proposed Action

11. The sculpture is sited on land owned by the Foreshore Trust and, as previously agreed in principle, it is proposed that the ownership of the sculpture be transferred to the Trust permanently.
12. Inspections of the sculpture will be conducted by HBC seafront services officers in the company of the artist every six months, but it is not anticipated that the sculpture will have any maintenance needs as this was a deliberate facet of the original design.

Risk and Policy Implications

13. Including the subterranean base, the materials comprising the sculpture are worth approximately £4k although the sculpture would cost in total a minimum of £40k to remake and re-install like for like.
14. For the sculpture to be insured against damage, fire and theft, the cost to the Foreshore Trust would be £229.95 + Insurance Premium Tax per annum. It is the opinion of the Finance Officer that as the sculpture is highly unlikely to suffer damage or theft, this would not be money well spent and the Trust should not take out this insurance.
15. The sculpture will be included in the Foreshore Trust's £10 million public liability insurance from the time that the transfer of the ownership of the sculpture from the artist to the Foreshore Trust.

Wards Affected

Castle

Policy Implications

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness
Crime and Fear of Crime (Section 17)
Risk Management
Environmental Issues
Economic/Financial Implications X
Human Rights Act
Organisational Consequences
Local People's Views
Anti-Poverty

Additional Information

Appendix A Documentation of planning permission

Appendix B Licence for sculpture location on Foreshore Trust land (including map of actual location of sculpture)

Appendix C Maintenance Schedule for “the Landing”

Appendix D Structural Engineers Report

Appendix E BABA Design and Access Statement

Officer to Contact

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