

CABINET

STOREY- Tasting Garden December 2nd 2014

Report of Chief Officer (Environment)

| PURPOSE OF REPORT | | | |
|--|--------------------------|------------------|------------------|
| To seek a decision on the future of the tasting garden | | | |
| Key Decision | <input type="checkbox"/> | Non-Key Decision | Officer Referral |
| Date of notice of forthcoming key decision | NA | | |
| This report is public | | | |

RECOMMENDATIONS OF CHIEF OFFICER (Environment)

- (1) That Cabinet decides 'in principle' on the best option for the future of the Storey Tasting Garden.
- (2) That once an in principle decision is taken a further report on the how the decision will be delivered is brought back to Cabinet.

1.0 Introduction

1.1 Following consideration of the report 'The Storey- Update' (See Appendix A) at Cabinet (Sept 2nd) the following decisions were made-

- (1) "That the report be noted.
- (2) That City Council officers open a dialogue with Mark Dion to discuss:
 - a) the feasibility of moving the artwork to Williamson Park or another suitable venue.
 - b) That in view of references to funding opportunities within submissions received in support of restoring the Tasting Gardens, officers make approaches to explore the possibilities of alternative funding.
 - c) That Cabinet visit the Tasting Garden and reconsider the proposal once further details are available.

(3) That the draft master planning approach for the Storey's gardens be supported, and presented to Cabinet for consideration in due course."

1.2 Cabinet have now visited the gardens.

- 1.3 A response to part a) and b) has now been received from Mark Dion and is attached at Appendix B.
- 1.4 Part of the Council's ethos as set out in the corporate plan is that of stewardship. This involves ensuring the social, economic and environmental wellbeing of the local area. In practice active stewardship involves a number of things including taking the key role in engaging, co-ordinating and mobilising other public, private and voluntary bodies in delivering the council's strategic objectives for the place. How stewardship is exercised is a local issue and needs to be determined by the Council in partnership with local citizens.
- 1.5 The Council has a clearly defined strategy for the Storey Institute and this includes the recognition that the gardens are an integral part of the business plan for the facility.
- 1.6 In addition to this as a means of promoting economic growth in the District the Council directly contributes to a number of artistic and cultural activities.

2.0 Proposal Details

- 2.1 It is clear from Mr Dion's response that the artwork cannot be replicated in another location in the District.
- 2.2 Mr Dion's response also sets out a hope that funding may be available for restoration of the artwork in its current location.
- 2.3 As was made clear in the previous report there is a polarisation of views on this subject. In essence some people would like to see the art installation restored to how it was originally intended. Some take the view that this is unrealistic and the best thing to do is to make the best use of this space in a way that it can be enjoyed by our citizens and complement the wider business plan of the Storey Institute.
- 2.4 Restoring the art work and then ensuring the Tasting Garden could be enjoyed by our citizens and complement the wider business plan of the Storey Institute is clearly the ideal solution.
- 2.5 However, it needs to be remembered that the reason why the artwork and garden is in its current condition is not because the Council has been neglectful in its duties but because for a significant period, the Storey was undergoing refurbishment and thereafter, it was outside of the Council's direct management and control. There appears to have been no major outcry regarding the condition of the Tasting Gardens during this time. Furthermore, over many years now the Council has been forced to make very difficult decisions on how it prioritises its scarce resources.
- 2.6 The harsh realities of the process of prioritisation of resources become more and more apparent as funding available to Local Government is further and further reduced. This issue provides a really good example of the difficult decisions that Councils are forced to make.
- 2.7 In determining the best way forward in this situation Cabinet have the following options-

3.0 OPTION 1- Consider that restoration of the artwork is a priority for the Council and that in its role as a steward the Council should properly lead on it.

In order to arrive at this option Cabinet would need consider the following-

- What actual evidence is there that this is generally what our citizens want?
- How would the restoration be funded? If the Council was to allocate resources for the Garden, in effect they would need to be redirected from another initiative or activity. Realistically, therefore, it could be viewed that the Council does not have the resources to directly fund restoration and if so, external funds would need to be raised. We have been told that there are likely to be funds available out there. Experience tells us that obtaining external funding can be a complicated and time consuming exercise, depending on the regime under which funding is being sought, and match funding may well be required.
- How would the project be resourced? As stated above just raising the funds could be time consuming and complicated. Due to the need to prioritise and focus on core activities the Council does not have available officer time or expertise that could be allocated to this, if such a route was chosen. Therefore, Cabinet would need to consider this as an area for growth, as appropriate.
- How would the restored project be maintained? The ongoing maintenance of the artwork would be intensive and would again require ongoing growth – this need is a very real difficulty given the financial outlook.
- Even if funds are available obtaining them could take a number of years, depending on the route chosen, and in any event the timescales would not fit with the review of the Storey operation, required by 2017/18. What does the Council do with the garden in the interim and how will that support the Storey business plan? What about the future? What would need to change?

OPTION 2- Consider that restoration of the artwork is a priority for the Council, but only on the firm basis that it was resource- and risk- free for the authority, and so could only take place if full responsibility could be transferred, in some way, to a third party.

In order to arrive at this option Cabinet would need to consider the following-

- The Council are properly stewards of the garden. How would transferring/delegating this responsibility to a third party fit with that?
- What evidence is there that the general desire of our citizens is that a valuable space is delegated to a third party to manage in the hope that funds can be raised to restore the artwork therein?
- What would happen if the third party lost interest in the project, or got into difficulties, especially bearing in mind previous experience?
- How would the long term maintenance of the project be funded and managed?
- How would this fit in with the business plan of the Storey, and the requirement for the operation to be reviewed prior to 2017/18?
- What would happen to the garden whilst the funds are being raised?

Cabinet need to be aware that gaining satisfactory answers to these questions may prove impossible – there is no guarantee that this option is viable and it could tie up much Officer time pursuing it, to no avail.

OPTION 3- Accept that ideally the artwork would be restored and would support the wider aims of the Storey and provide an attraction for our citizens but that the reality is that the policy and financial context of the Council mean that this is an unrealistic option. Therefore the most realistic option is to make the very best of the gardens, within the resources we have, and in a way that goes to meeting the needs of our citizens and the business plan for the Storey. The details to be determined through the masterplanning process that Cabinet have already agreed.

In order to arrive at this option Cabinet would need to consider the following-

- What is the current and future financial position of the Council and what are the competing priorities?
- This option may be seen by some as not supporting wider aims and objectives for arts and culture in the District. However, this needs to be balanced by the fact that the Council already provides considerable ongoing support to arts and culture within the District.
- The view expressed by many citizens is that what really matters is that the gardens are brought back into use. Done properly this option could support the wider plans for the Storey and could (subject to testing through the masterplan process) reasonably include use of the garden to promote arts and culture.
- There is already an active 'Friends of' group who the Council could continue to work with to improve the gardens in the short term and deliver aspects of the masterplan once agreed.
- This option is based around the current financial realities facing the Council so would be designed to be delivered within existing resources, and could fit with the future review of the wider Storey operation.

4.0 Details of consultation

4.1 As set out in the report and appendices

5.0 Officer Preferred Option (and comments)

5.1 The Cabinet agree in principle the way forward. Whatever option is chosen it is expected further more detailed reports will be brought back to Cabinet.

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| RELATIONSHIP TO POLICY FRAMEWORK |
| As outlined within the report |
| CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, HR, Sustainability and Rural Proofing) |
| As outlined within the report |
| LEGAL IMPLICATIONS |
| Legal Services have been consulted; there are no specific legal matters arising. The Council |

is under no obligation to restore the art installation.

FINANCIAL IMPLICATIONS

There are no direct financial implications arising at this time, but clearly there could be in future, depending on what option is chosen.

OTHER RESOURCE IMPLICATIONS

Human Resources:

None

Information Services:

None

Property:

As outlined within the report

Open Spaces:

As outlined within the report

SECTION 151 OFFICER'S COMMENTS

The s151 Officer has been consulted and her comments reflected within the report. In short, this is another matter that Cabinet needs to consider in context of spending priorities/needs and what is affordable in the longer term, and in the interests of council tax payers generally. A whole life approach should be considered, taking into account future management and maintenance requirements.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

none

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