

Appendix A: Site Appraisal Information - Natural heritage and biodiversity

Fife Council has a duty to consider the conservation of biodiversity when determining a planning application. This includes having regard to the safeguard of habitats and species protected under national legislation. Legislation includes the Wildlife and Countryside Act 1981 (as amended), The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) and the Protection of Badgers Act 1992 (as amended). Applications must also comply with the Scottish Government Policy on Control of Woodland Removal and have regard to the River Basin Management Plan Scotland as required by the Water Environment and Water Services (Scotland) Act 2003.

Adequate ecological assessment must be carried out for any proposed development and sufficient information must be submitted with the application.

The level of detail required will be dependent upon the site, (habitats and species present or potentially present), and the development type.

The following steps should be followed/provide a guide.

ACTION	GUIDANCE
<p>1. Identify any designated nature conservation sites on or around the application site. Any potential impact on designated sites needs to be assessed but adverse effects should be avoided. For European sites (e.g. SPA, SAC) this includes assessment of any potential impacts on qualifying species using areas outwith the designated site. An Appropriate Assessment may be required.</p>	<p>Information on designated sites and legislative requirements is available to download on the SNHi website and Scotland's Environment website (interactive map).</p> <p>Information on local designations is available in the Fife Local Development Plan (interactive mapping) – click on the biodiversity/environment box in the legend.</p>
<p>2. Identify what natural heritage assets are present on and around the application site. This should include reference to the presence of priority habitats and species identified in UK, national and local (Fife) Biodiversity Action Plans, woodland on the SNH Ancient Woodland and Scottish Semi-Natural Woodland Inventories and Tree Preservation Orders. The presence of invasive species such as Japanese Knotweed or Giant Hogweed should be identified with proposed management detailed.</p>	<p>A Phase 1 habitat survey is the most appropriate form of mapping in most cases.</p> <p>Natural heritage assets should be protected with appropriate buffers applied e.g. 10m either side of watercourses or woodland. Where impacts are unavoidable mitigation and compensation is required.</p>
<p>3 Identify the location and ecological quality of watercourses and waterbodies on the site and in the surrounding area</p>	<p>Information on the ecological quality of waterbodies and ground water is available on the SEPA website http://map.sepa.org.uk/rbmp/</p> <p>The River Basin Management Plan Scotland is available on the SEPA website: http://www.sepa.org.uk/environment/water/river-basin-management-planning/publications#RBMPplan A second version of the River Basin Management Plan Scotland will be published in December 2015.</p>
<p>4 Identify if any of the habitats, features or buildings on and around the site have the potential to support protected species. If they do then further specific survey and assessment is required by a suitably qualified professional following recognised guidelines and methodologies. Identification of mitigation and a licence from SNH may be required.</p>	<p>For European protected species this information is required before the application can be determined. If protected species are present a species protection plan detailing mitigation should be submitted.</p> <p>Baseline ecological data should be available from the records held by Fife Nature Records Centre, Fife Council. Further information on protected species is available on the SNH website</p>
<p>5 Identify existing habitat networks on the site and in the surrounding area. Where possible these should be protected. Where adverse effects are unavoidable mitigation and compensation is required.</p>	<p>Fife Council habitat network mapping information is available on the Fife Council website (not available yet). The SNH website provides guidance on integrated habitat networks: http://www.snh.gov.uk/docs/C334188.pdf . And interactive mapping of Integrated Habitat Networks across Scotland: http://www.snh.gov.uk/land-and-sea/managing-the-land/spatial-ecology/habitat-networks-and-csgn/map-viewer/</p>

<p>6 Identify opportunities to enhance and buffer existing habitat areas and habitat networks on the site and into the surrounding area.</p>	<p>For example the creation of buffer strips of grassland along hedgerow boundaries and woodland areas or tree belts.</p>
<p>7 Identify opportunities to create new habitat and habitat networks on the site and into the surrounding area.</p>	<p>There is potential to create new habitat with landscaping particularly with SUDs and boundary features. Buffer strips can be used to create a gradation from the urban environment and formal gardens to surrounding field boundaries and the wider landscape.</p> <p>Consideration of the built environment is also required and opportunities should be identified to increase biodiversity. Some species are dependent on buildings for roost and nesting sites (e.g. bats, swift, barn owl) and where feasible appropriate provision should be made for these within new build developments and renovations for example with groups of swift bricks and bat bricks installed in suitable buildings. Street trees and hedgerow planting can provide valuable wildlife habitat and wildlife corridors providing links to surrounding habitat networks.</p>
<p>8. Identify opportunities to enhance the ecological quality of water bodies and groundwater on and around the development site.</p>	<p>For example environmental enhancements might include:</p> <ul style="list-style-type: none"> • restoring the morphology (i.e. the condition of the banks, bed and shore) of the water environment; • removing barriers to fish migration; and • controlling invasive non-native species.

Appendix B: Site Appraisal Information – Landscape

Development proposals generally lead to changes to the landscape as an environmental resource, changing views & visual amenity. These effects are not restricted to the site itself and may cover an extensive area, depending on the nature of the proposals and the site surroundings. Landscape and Visual Assessment [LVIA] is the tool used to identify and assess the significance of these effects; professional judgement is an important part of this.

The definition of landscape covers rural landscapes, the urban fringes, marine and coastal landscapes, as well as the townscape of villages, towns and cities. Importance is attached to landscape by individuals, communities and public bodies. In some cases these are landscapes that are recognised as special or valuable, but others may be ordinary, everyday landscapes where people live, work and play.

Landscape impacts can be different during construction, while operating and during decommissioning; they can sometimes be reduced by mitigation measures. The nature and magnitude of landscape change can be greater where land is on the edge of an existing settlement. Here development may change the character of a site from an area of countryside and part of the settlement's landscape setting to a built form that becomes part of the adjacent townscape. Cumulative effects may occur where there are additional changes as a result of proposed development in conjunction with other similar developments nearby.

Development proposals should provide sufficient information to allow a Landscape assessment to be carried out to show a site has the capacity for a particular form of development and that a detailed proposal is acceptable in landscape and visual terms. The level of detail required will be dependent upon the site and the development type. The following steps provide a guide.

ACTION	GUIDANCE
1 Establish the landscape character type and local landscape character unit that covers the site, using the Fife Landscape Character Assessment, and note the key characteristics and features. Note the capacity of the landscape to accommodate development and its sensitivity to change arising from different types of development.	Fife Landscape Character Assessment [1999, David Tyldesley & Associates] is available on the SNHi website: http://www.snh.gov.uk/publications-data-and-research/publications/search-the-catalogue/publication-detail/?id=305
2 Note any aspect of landscape character and quality that scores highly in the Fife Landscape Review [3 or more in Table 5.1 Overview of Landscape Character and Landscape Quality Evaluation].	Evaluation of landscape character and quality is available on the fifedirect website: Fife Local Landscape Designation and Review, Appendix 1 [2009, LUC with Carol Anderson and Small Town & Rural Development Group] http://www.fifedirect.org.uk/publications/index.cfm?fuseaction=publication.pop&pubid=A46B0F26-058E-99F1-E34FA8A926CCEE2E
3 Identify whether the site is covered by a Local Landscape Area, or buffer. Note the key points made in the Special Landscape Area Designation Statement, giving the reasons for designation under the Fife Landscape Review.	Information on Local and Special Landscape Areas is available on the fifedirect website: Local Landscape Area Designation Map 2; and Chapter 7 Statements of Importance, Fife Local Landscape Designation and Review, Appendix 1 [2009, LUC with Carol Anderson and Small Town & Rural Development Group]
4 Identify where a site lies within a designated Historic Garden or Designed Landscape, or buffer. Note its landscape components and importance as described in the Inventory.	Information on Fife's Historic Gardens or Designed Landscapes is available by Council on Historic Scotland website: https://www.historicenvironment.scot/advice-and-support/listing-scheduling-and-designations/gardens-and-designed-landscapes/
5 Identify where a site lies within a Greenbelt – around either Dunfermline or St Andrews.	Information on greenbelts is available on fifedirect website: Dunfermline Greenbelt Map: http://www.fifedirect.org.uk/publications/index.cfm?fuseaction=publication.pop&pubid=678AFA2E-BE89-BD55-31A20964C8A642A4 and http://www.fifedirect.org.uk/publications/index.cfm?fuseaction=publication.pop&pubid=6E2D043A-056F-05B7-002FBC3A0567E5B7 and St Andrews Greenbelt Map: http://www.fifedirect.org.uk/publications/index.cfm?fuseaction=publication.pop&pubid=6E1F8B2E-BF1B-37FB-9E5857EB2D1580E5 ;
6 Establish whether the site has been identified as having landscape capacity for future development in a Landscape Capacity Study – these have been carried out around many of Fife's settlements on behalf of Fife Council. Set out the relevant findings.	Fife's landscape character and capacity studies are available on fifedirect for the following settlements– <i>Charlestown, Coaltown of Balgonie, Cupar, Dunfermline, Glenrothes, Kelty, Kirkcaldy, Kincardine, Kirkcaldy,</i>

		<i>Levenmouth, Limekilns, Lochgelly, Markinch, Newport, Rosyth, St Andrews, Tayport, Thornton, Wormit</i>
7	Identify any settlement[s] in proximity to the site. Note the settlement's form, scale, pattern, setting and any distinctive features. Note how the site relates to the existing settlement edge. Consider whether development changes the sense of arrival to the built up area. Does the site have features that could form a strong new edge to the countryside beyond?	Sources of information are site survey & analysis, GIS [satellite images and mapping], Fife's landscape capacity studies. Findings should be presented in analysis drawings as part of a Design and Access Statement.
8	Identify, map and describe physical aspects or features relevant to future development of the site, such as trees*, woodland*, hedges*, parkland, steep slopes, rocky outcrops, skyline, ridges, watercourses, buildings and structures. This includes elements on adjoining land that may be affected by a development proposal, such as woodland trees. The nature of edges and boundary treatments is of particular importance. Note existing features that could influence layout and design eg contribute to a sense of place/ provide screening for future development.	Sources of information are site survey & analysis, GIS [satellite images and mapping]. Findings should inform design proposal and should be presented in analysis drawings as part of a Design and Access Statement. *See Site Appraisal – Trees.
9	Assess the impact of the development proposal on the landscape as a resource in its own right, using methodology consistent with Guidelines for Landscape and Visual Assessment 3 rd Edition [2013, Landscape Institute and EIMA].	Sources of information are site survey & analysis, GIS [satellite images and mapping] and points 1-6 above. Findings should be presented in a Landscape and Visual Assessment, provided by a landscape professional.
10	Assess the visual impact of the development proposal using methodology consistent with Guidelines for Landscape and Visual Assessment 3 rd Edition. Identify the key receptors and how the proposal affects general visual amenity as well as specific views from established local viewpoints and public routes passing the site.	Sources of information are site survey & analysis, GIS [satellite images and mapping] and points 1-6 above. Findings, including visualisations, should be presented in a Landscape and Visual Assessment, provided by a landscape professional.
11	Propose landscape mitigation measures to prevent/ avoid/ reduce and compensate for any adverse landscape and visual impacts and, where possible, landscape enhancement to improve the landscape of the site.	Information should be incorporated in design proposals and described as part of a Design and Access Statement.

Appendix C: Site Appraisal Information – Historic Environments

Fife's historic environment is more than just individual buildings; it includes historic built and planted landscape and streetscape elements. It is key to preserving the character of Fife's towns and villages. Any development proposal should analyse each individual site or building in relation to its historic context. Local distinctiveness is determined in large part by the contribution made by the existing historic fabric environment. The historic environment also includes Scheduled Monuments and battlefield sites and areas of archaeological interest.

The level of detail required as part of the site appraisal process will be dependent on the site and its context. Below is a summary of some of the key actions and guidance a developer should follow in preparing an application.

ACTION	GUIDANCE
<p>1 Identify any Listed Buildings, Scheduled Monuments, Gardens or Designed Landscapes or Battlefields on national inventory or designated conservation areas, located within or near the proposed development site.</p>	<p>Refer to Historic Environment Scotland's website for:</p> <p>Scheduled Monuments https://www.historicenvironment.scot/advice-and-support/listing-scheduling-and-designations/scheduled-monuments/search-for-a-scheduled-monument/</p> <p>Listed Buildings https://www.historicenvironment.scot/advice-and-support/listing-scheduling-and-designations/listed-buildings/search-for-a-listed-building/</p> <p>Gardens and Designed Landscapes https://www.historicenvironment.scot/advice-and-support/listing-scheduling-and-designations/gardens-and-designed-landscapes/</p> <p>Inventory Battlefields https://www.historicenvironment.scot/advice-and-support/listing-scheduling-and-designations/battlefields/</p> <p>Refer to Fife Council's FifeDirect website for Conservation Areas: http://www.fifedirect.org.uk/topics/index.cfm?fuseaction=service.display&objectid=05E24BEF-8603-4E08-8E21-21E622522B93</p>
<p>2 Identify any other elements of the wider historic environment which may be affected by the proposed development.</p>	<p>Historic Environment Scotland Pastmap: http://pastmap.org.uk/</p>
<p>3 Undertake an appraisal of the cultural significance of any elements of the historic environment identified as being potentially affected by the proposed development.</p>	<p>If required prepare a Conservation Statement or Conservation Plan . See Heritage Lottery Fund guidance on how to do this: http://www.hlf.org.uk/preApril2013/furtherresources/Documents/Conservation_management_planning.pdf</p>
<p>4 Determine the nature and extent of any impact on this significance.</p>	<p>The appraisal should be undertaken by someone with the appropriate range of skills, knowledge and experience to assess the cultural significance for any particular situation. This may in some circumstances necessitate the employment of an accredited conservation architect http://www.rias.org.uk/services/conservation</p>
<p>5 Demonstrate how the proposals will not adversely affect, i.e. protects or enhances, the significance.</p>	<p>The appraisal should identify what elements of the historic environment on and around the site are special and of significance and how the proposed development does or does not impact on these elements.</p>
<p>6 Describe any mitigating actions which would act to negate any impact.</p>	<p>There are many possible mitigating actions that can be taken to reduce any negative impacts of new development on the historic environment – the most appropriate actions to take will be determined on a site by site basis. Mitigating actions may include: Sensitive design; screening and use of appropriate traditional materials and methods.</p>
<p>7 If demolition is proposed demonstrate at least one of the prescribed grounds set out in the Historic Environment Scotland Policy. Applicants need to show that they have made all reasonable efforts to retain listed buildings in accordance with the requirements set out in the Historic Environment Scotland Policy .</p>	<p>Historic Environment Scotland Policy (2016) (https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=f413711b-bb7b-4a8d-a3e8-a619008ca8b5) contains a presumption against demolition.</p> <p>The grounds for demolition as set out in the Historic Environment Scotland Policy are reiterated in Historic Scotland's guide Managing Change in the Historic Environment – Demolition (https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=7de5a6fb-f7bc-4736-a583-a60b008a8096)</p>

		Also The Scottish Planning Policy (2014) http://www.gov.scot/Resource/0045/00453827.pdf states the Scottish Government's policy on nationally important land use planning matters.
8	Historic Environment Scotland published guidance New Design in Historic Settings is a useful tool in helping to develop good design. The guide sets out the key principles and proposes a methodology for the preparation of new designs. This guidance should be followed where applicable.	New Design in Historic Settings https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=9b50b83c-1e60-4831-bc81-a60500ac5b29
9	Applicants are encouraged to have pre-application discussions with Fife Council Planning.	Fife Council's pre-application advice is outlined at: http://www.fifedirect.org.uk/topics/index.cfm?fuseaction=page.display&p2sid=76853FB9-FF8B-3DB3-0739D8BB456585F4
10	Additional guidance published by both Historic Scotland and Fife Council should be followed where applicable.	Historic Environment Scotland publications: Managing Change in the Historic Environment series which explain how to apply the policies contained in the Historic Environment Scotland Policy Statement June 2016, and the Scottish Planning Policy (2010); Technical Advice Notes (TANs); Guides for Practitioners and the Inform series of guides. These publications can be found on: https://www.historicenvironment.scot/archives-and-research/publications/ Fife Council's Guidelines: <ul style="list-style-type: none"> • Painting the exterior of listed buildings and unlisted buildings in Conservation Areas • Shop front Design Guidelines • Windows in Listed buildings and Conservation Areas http://www.fifedirect.org.uk/topics/index.cfm?fuseaction=subject.display&subjectid=92D1422A-A0E5-4DA0-8AA6-05590EF8BAC5 And <ul style="list-style-type: none"> • St Andrews Design Guidelines http://www.fifedirect.org.uk/topics/index.cfm?fuseaction=page.display&p2sid=C102E5D5-E64B-54D4-C3737648AC5F4849&themeid=2B482E89-1CC4-E06A-52FBA69F838F4D24
11	Any proposed development should ensure that the special architectural or historic character or appearance of a conservation area as identified in the relevant Conservation Area Appraisal and Management Plan is protected and any opportunities are taken to enhance this.	Planning Advice Note PAN 71: Conservation Area Management should be followed. Refer to Fife Council's FifeDirect website for Conservation Areas: http://www.fifedirect.org.uk/topics/index.cfm?fuseaction=service.display&objectid=05E24BEF-8603-4E08-8E21-21E622522B93

Appendix D: Site Appraisal Information – Trees

Tree information required at Planning Permission in Principle Stage:

- Pre-development tree survey - to assess the quality of tree cover and establish which trees are suitable for retention
- Initial tree constraints plan

Tree information required at Full Planning Permission stage:










- Arboricultural Impact Assessment - This evaluates information relating to the tree survey, tree retention/removal plan, tree loss, tree protection, & landscaping/mitigation planting,
- Tree Protection Plan
 - Protection plan should be superimposed on the design & layout of the site
 - Root Protection Areas
 - Location of root protection barriers
 - Plan of other construction operations i.e. storage, parking, site huts, cement, scaffolding,
 - Identify areas where Root Protection Area to be breached
- Arboricultural method statement – how the site is to be developed and details relating to monitoring
- Landscape Plan – replacement planting will be required to mitigate against the effects of tree removal, native species should be encouraged wherever possible

All of the above information on trees to comply with British Standard 5837:2012 Trees in relation to Design, Demolition and Construction – Recommendations.

Where large semi-mature/mature trees are present on and adjacent to a development site, distances greater than the British Standard will be expected and no new buildings or gardens should be built within the falling distance of the tree at its final canopy height.

Appendix E: Functions of green infrastructure table

What is the purpose of the green infrastructure being provided by your development?

Functions of green infrastructure		New green infrastructure proposed through this development provides:		
		Major provision	Some provision	No provision
Active travel routes				
Opportunities for play				
Biodiversity				
Sport and recreation				
Landscape setting				
Drainage and flood alleviation				
Community focus				
Food production				
Enterprise opportunities				

Appendix F: Public Art - Principles of Best Practice

This appendix outlines the approach that Fife Council will expect developers to follow in planning and implementing a public art project.

An integrated approach

Fife Council encourages developers to integrate public art into development proposals to help deliver a high standard of design for buildings and spaces. This should be achieved by engaging experts in public art to work in the design process from the earliest stage, rather than commissioning a number of features to be added later to a particular development site. This allows an artist to contribute effectively to place-making by planning and developing a project, reduces the risk of public art becoming a single or separate issue, and supports the approach advocated in Designing Streets.

Public art expertise	Pre-application discussions	Establishing the financial contribution to public art:
<p>This role should be undertaken for the developer by an experienced professional who may be an artist, a lead artist [for larger projects where several artists are involved] or a public art consultant. Fife Council recognises that public art does not always require input from a professional artist, however. This may be an opportunity for built environment professionals to pursue ideas for architectural, engineering or landscape features as part of proposals for buildings, outdoor spaces or infrastructure. Alternatively, artists may take the role of facilitator: helping local schools, community groups or other organisations to generate public art proposals. Further information on the role of the artist and the commissioning process is below.</p> <p>There is also a need for expert guidance and involvement in the fabrication and installation of some public art projects to ensure the relevant quality and health & safety standards are met. This may require the services of specialist manufacturers and contractors early in the design process.</p>	<p>If it is agreed that public art will take the form of a physical product, depending on its size and location, it may be considered 'development' that requires planning permission. Where any physical aspects of an artist's work are fully integrated into a wider proposal they can be considered as part of the application package for the wider development.</p> <p>Ideally public art will form part of the agenda for pre-application discussions between a developer's design team and Fife Council's development management officers. At this time the scope and budget will be established, as well as the appropriate mechanism for delivery and the content of the Public Art Plan, which will describe the public art element of a proposal.</p>	<p>The amount of money dedicated to public art should be identified at the start of the design process. The scope and budget agreed in early discussions will be firmed up as proposals are developed, and the contribution will be confirmed before a formal planning submission is made. Once the financial contribution has been established, the public art element of the development should in general be integrated into the overall design of the proposal – building or landscape setting - rather than providing a sum of money to be expended separately. All budget lines allocated to public art should be protected; they cannot be seen as a contingency for the general development costs of a site.</p> <p>The amount will be established using a formula. These are based on the type of development proposed and the number of units/ gross floor area as follows:</p> <ul style="list-style-type: none">▪ <i>Housing [including apartments] - £300 per unit</i>▪ <i>Hotel and leisure - £10 per square metre</i>▪ <i>Retail - £10 per square metre</i>

Public Art Plan

This document should normally be prepared by a public art professional in collaboration with other members of the design team; where appropriate as part of a Design and Access Statement. The Public Art Plan shows how the developer is providing opportunities for public art. The level of detail expected will vary with the scale of development and what point it has reached in design development. So, a Draft Public Art Plan will outline key elements at an early stage that will be shown in more detail as the design progresses to a formal planning submission. A Finalised Public Art Plan will either describe outline concepts as part of a Planning Permission in Principle [PPP], or detailed proposals as part of a Full Planning Application/ Application for Approval Required by a Condition [ARC]. Fife Council officers and/ or committees will determine this as part of the formal planning process.

Content of the Public Art Plan should include:

- A description of how the Public Art Plan relates to the Public Art Policy E14 and to any wider public art strategies;
- Descriptions of the artist's, the community's and other professionals' contribution to the public art element of the planning and design process and how this relates to the overall vision for the site;
- Descriptions – drawings [where available] and reports - of temporary or permanent work that will be realised through the public art process;
- Timescales and trigger points for development and implementation, plus overall lifespan of physical items of public art and decommissioning date where appropriate;
- The mechanism for implementing public art and details of the project management process;
- Details of how other artists [if any] will be commissioned;
- The method and schedule for maintaining physical artwork;
- Justification for the level of spending if the developer is seeking relaxation from the expected financial contribution to public art.
- Budget allocations relating to all of the above - including fees for artists and project management; costs for fabrication, public participation, installation, maintenance, and decommissioning where relevant; insurance premiums;
- Details of ownership, insurance, maintenance and de-commissioning in terms of contractual responsibilities for public art.

The long term management and maintenance aspects of physical items of public art are critical to their success and should be covered at the earliest opportunity.

Consultation

The Scottish Government and Fife Council are keen to engage people in place-making through public consultation. The local resident community is the key audience for development proposals; they can unlock useful local information and their support is vital for successful public art. Communities of interest may also include voluntary arts-based organisations such as art clubs who understand and appreciate the importance, value and process of creating public art and may be able to play an important role in its commissioning and location. The design team should encourage local people, including schools and arts-based groups, to become involved in a project's development, and in some circumstances in its implementation, to ensure that public art is relevant to the community. This public engagement takes place as part of a statutory Pre-application Consultation [PAC for National and Major planning applications] and otherwise as a non-statutory public consultation exercise. Community Councils and other officially constituted local groups are useful starting points for establishing the scope of consultation.

The public art professional would normally consult on the public art element, although it should not be treated in isolation or as a single issue. Public art is only one aspect of most proposals and other members of a larger design team may have overall responsibility for consultation.

The Public Art Plan should form part of the material displayed at a consultation initiative. The design team will review its content and progress the public art proposal in the light of feedback from the consultation. Where relevant, agencies such as Historic Scotland, Fife Historic Buildings Trust etc should be consulted at an early stage to establish their views on an emerging concept and its fit with other plans for a particular area. In some cases, the restrictions that may be placed on a site can help determine the best route forward. Consultation with other agencies can also open up opportunities for partnership working.

The Role of the Artist

The role of the artist has evolved in recent years, as public art has developed as a process. There is now a general acceptance that the earlier creative expertise is involved in any project, the more likely it is to achieve an integrated, relevant and successful outcome.

In large projects involving more than one artwork, consideration should be given to engaging an artist as 'Lead Artist'. When a project will involve several sites and several artists, it can be useful to appoint a public art consultant to develop a public art strategy that provides an overview across the wider area. Establishing the project's overall vision and communicating and interpreting this vision to all partners and stakeholders can help ensure the project's overall unity and harmony. In this context, the role of Lead Artist can be undertaken by a designer, craft worker, or design-related built environment professional, not necessarily an artist *per se*.

Guidance and selection criteria for creative appointments should determine:

- Track record and experience of art in the public realm
- Conceptual skills towards the production of original artwork of high quality
- The ability to communicate with a variety of different people
- Experience of working with architects and landscape designers
- An interest in and experience of design and planning
- The ability to recognise the potential for artwork as an integral part of the internal and external structure of public buildings and public open space
- Awareness of financial thresholds within capital building projects
- An understanding and experience of different methods of community consultation
- Experience of setting-up and running workshops and events with people of different ages and abilities
- Experience of working with and/or commissioning other artists
- Skills in project management and ability to meet deadlines

A design competition, which invites submission of ideas/ fee proposals on the basis of the brief, may provide a useful selection tool. This can establish a shortlist from which the successful candidate emerges following more detailed scrutiny, for example through an interview process.

The Commissioning Process

The Vision

The first stage of the process is establishing a Vision. Potential commissioners should articulate what it is they hope to do and why they want to do it, identifying the desired outcomes of the commission. This is essential for the commissioner's own purposes but it will also aid and inform potential funding applications.

Developing a Brief

A process of detailed planning flows from the Vision. Regardless of scale, a project will require a comprehensive plan, which will be developed into a brief for the project. The brief will be the document which is supplied to the selected or applicant artist and will form the basis of the contract with the commissioned artist. The brief should include:

- The Vision
- Details of team members and their roles/ responsibilities
- Selection process
- Working context including community involvement
- Budget
- Timescale
- Technical information including permissions required
- Site and relevant contextual information, including project constraints

Contracts

Good contractual practice will ensure that the following key obligations are recognised:

- research and consultation
- design and production stages
- fee payments
- indemnity and public liability insurance
- delivery and installation of work
- copyright
- ownership and adoption responsibilities of management companies
- commuted sums for long-term care and maintenance of completed works
- warranty and repair liabilities; relocation and/or de-commission

Any commission should be governed by a legally binding, written agreement that all parties should agree to prior to any work commencing.

Planning permission

The simplest way of delivering public art through new development, and Fife Council's preferred route for implementation, is where public art is integrated into a building or external works as part of a larger planning application. This applies to both Planning Permission in Principle [PPP] followed by Application for Approval Required by a Condition [ARC] and to Full Planning Applications. In this way details of public art are shown on the plans and in the Finalised Public Art Plan, and approved as part of the application package for the wider development by a Fife Council Committee or by a planning officer using delegated powers.

Fife Council may attach planning conditions to planning permission where further information is required to be approved, and Legal Agreements where delivery needs to be tightly controlled. Both options may contain clauses on timing, relating to when development starts, a particular phase is occupied, or a certain aspect is completed, such as a road link or a set number of units. A Legal Agreement will always be used to secure a sum of money, an event, or for any works that take place off-site. It may include specific wording, such as who is responsible for decommissioning, public liability or long term maintenance, and its use ensures public art is delivered through the 'successor in title' if the developer disposes of the site before the works have been completed.

Developer implementation

In all but exceptional circumstances, once the developer has been granted planning permission, they will take responsibility for funding and managing the approved project, directly or through specialist agents, whichever is more appropriate. Where it is a physical artwork this will include manufacturing, installing and maintaining it. In most situations the developer will remain the owner of physical pieces and responsible for their long term care.

The developer may deliver on-site public art:

- in accordance with approved plans following planning permission, as part of routine site development;
- in accordance with the terms of planning conditions attached to planning permission and any further approval of information required;
- through a Legal Agreement between the developer, land owner and Fife Council attached to planning permission.

The developer may deliver off-site public art through a Legal Agreement between the developer, land owner and Fife Council attached to planning permission.

Fife Council led implementation

As an exception Fife Council may agree that a developer is unable to achieve an appropriate public art scheme on-site or the contributions are too small to deliver a quality product. In these circumstances Fife Council will negotiate a financial contribution and secure it by Legal Agreement to support a larger public art project in the surrounding area, or artwork that would require funding from several schemes, either on- or off-site. In both cases Fife Council will hold contributions in a designated public art fund and draw on it for individual projects. It will procure, implement and maintain public art in accordance with the Council's Scheme of Tender and the Public Services [Scotland] regulations. In most situations Fife Council will remain the owner of physical pieces and responsible for their long term care.

Further information

A wealth of detailed information and research is available from specialist bodies through Public Art Resource+Research Scotland (PAR+RS) at www.publicartscotland.com

The process

The route through the development management process for delivering public art will vary according to the category of development. For National and Major Planning Application sites the Pre-application Consultation [PAC] phase provides a statutory mechanism to embed public art into the early stages of the design process for a development proposal. The process is set out in Figure 1 below. This also forms Best Practice for dealing with public art on 'prominent sites' and for 'all other applications'.

Figure 2 sets out the delivery route for Local Applications on 'prominent sites' where no pre-application discussions have taken place, but the officer processing the planning application has identified a requirement for public art.

Figure 1: Process map – National and Major Applications and Best Practice for Local Application

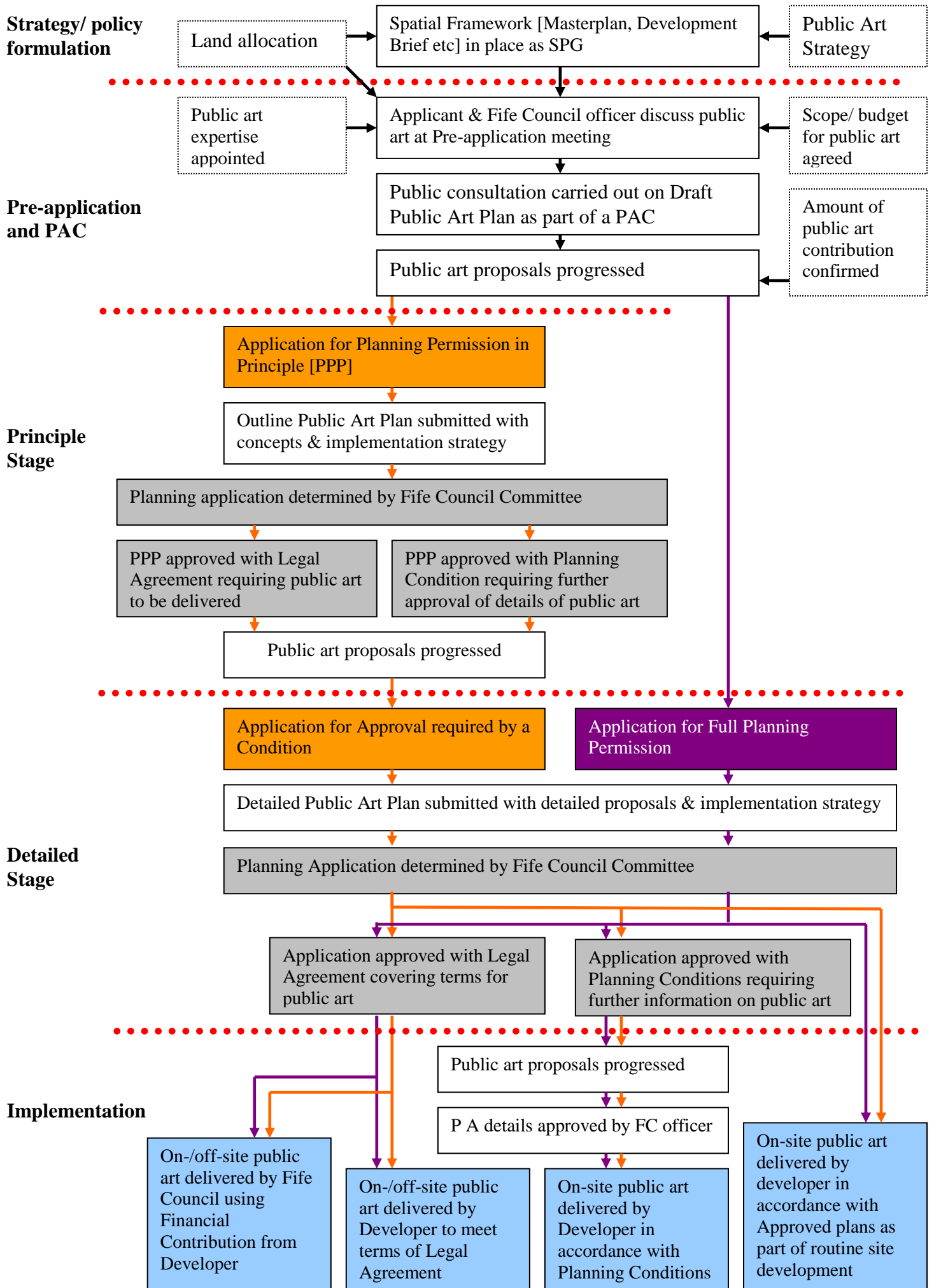


Figure 2: Process map - Local Applications on prominent sites

