



**Dublin City Council**  
Comhairle Cathrach Bhaile Átha Cliath

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**Policy for Decommissioning of Public Art**

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## **1. Introduction**

Dublin City Council has many public artworks in its care. These range from protected structures and works of great historical and artistic importance to works of art commissioned in recent decades.

Occasionally issues arise regarding the condition or location of artworks and their impact on the city, its communities and visitors which involve proposals to move or remove artworks. Reasons for such proposals include: the reconfiguration of public space; the condition of an artwork; that the context or relevance to a site has changed or complaints regarding the impact that a work is having on a community.

This policy paper deals with issues relating to decommissioning artworks including; relocation, storage and full deaccession (i.e. removing a work from the City Council's Collection). It includes public artworks in the City Council Collection but not works in the Dublin City Gallery – The Hugh Lane Collection or historic artworks which belong to the City Archives. The City Council Collection includes artworks donated or on loan to the City as well as 'permanent' work commissioned by the City Council (including those under the Per Cent for Art Scheme) on display externally or internally.

## **2. Principles**

Decommissioning an artwork or monument will not be decided upon on grounds of historic meaning or artistic merit alone. Cities are built on layers of history and part of their importance and meaning stems from this. While political, social or artistic viewpoints can change it is not the role of Dublin City Council to arbitrate in retrospect on their merits, especially in view of the fact that political and artistic trends continuously change.

The decommissioning of an artwork should only take place after a considered process which includes assessment against the stated criteria (Section 4) and by following agreed procedures (Section 5). The process will be governed by respect for artists and communities in which the artwork is located.

## **3. Decommissioning Options**

### **3.1 Relocation**

*"To remove the work is to destroy it"* – Richard Serra, American artist, made this statement to a public enquiry in 1985, when it was proposed to move his artwork *Tilted Arc* from Federal Plaza, New York to another location.

The issue of site specificity is of great importance to many artists and they should be consulted regarding proposals to relocate a work. The context be it physical, spatial, historic, social or otherwise is often a factor in the commissioning, artistic concept and placement of artworks. Therefore, consideration has to be given regarding the impact on the appearance or meaning of the artwork in any proposal to relocate a work. In certain cases the relocation of an artwork can enhance its appearance and relevance.

The option of lending a work can also be considered.

### **3.2 Storage**

There are times when there is need to remove works to storage. These can include infrastructure works taking place in the vicinity of the artwork, removal because of damage or as an interim stage to the relocation of a work. The storage of a work should only be considered as an interim measure.

Storage conditions should be such that the work is protected. This will include proper climate conditions (i.e. that the work is not vulnerable to conditions which will cause deterioration), protection from theft, vandalism or accidental damage. The actual placement in storage and further removal of works (or part of works) from storage may only take place in consultation with the Public Art Manager and should be supervised by appropriate expertise.

*The status of public artworks in storage for more than five years will be reviewed.*

### **3.3 Deaccession**

Deaccession involves removing a work from the City Council's Collection. This can include the return to the artist, donor or lender or the destruction of the work. The permanent removal and destruction of an artwork should only take place as a last resort. A full process of assessment and consultation will have taken place before such action is undertaken.

## **4. Criteria**

Criteria for the initiation of a review for the removal, relocation or deaccession of artworks include:

1. That the artwork is considered beyond repair or that maintenance and conservation work will undermine the integrity of the artwork or that the cost of such work is considered excessive.
2. That the artwork has serious or dangerous faults in design or workmanship that cause it to be a danger to public health and safety.
3. That the current location of the artwork is no longer suitable or available, that another site compromises the integrity of the artwork or requires incurring excessive expense or that another site is unavailable.
4. That the terms of acquisition can no longer be met.
5. That the loan agreement with the owners of the artwork has expired or that the City Council is no longer able to meet the conditions of the loan agreement.
6. That both the City Council and the artist agree to have the artwork decommissioned.
7. That the City Council has regard to clauses in contracts which allow for the decommissioning of an artwork after a defined period of time or that planning permission has been awarded subject to review after a defined period of time.
8. That the artwork has been unsolicited.
9. That the public artwork has been lost or stolen and formal removal from the Public Art Register is required.

## **5. Procedure**

- Proposals to relocate or decommission an artwork may be made by artists, donors, lenders, city councillors, city officials or members of the public
- Proposals to relocate or decommission an artwork will be made on the official form, setting out which criteria are met and why the work should be relocated or decommissioned.
- All proposals will be made to the Public Art Manager who will present them to the Public Art Advisory Group for consideration.
- The Public Art Manager will undertake an initial assessment of the proposal to relocate, store or fully decommission the work.
- A further assessment will take place if in the opinion of the Public Art Manager there are grounds for relocation or decommissioning.
- The application will be dismissed if in the opinion of the Public Art Advisory Group the proposal to relocate, store or decommission does not meet with any of the decommissioning criteria.
- Relevant City Council officials will be consulted (including where relevant the arts officer, planning, heritage, conservation, legal, etc).
- Independent expertise (e.g. conservation, valuation, public art, planning, legal, etc) will be consulted for works valued at more than €20,000.
- Every reasonable effort will be made to consult with the artist, donor or lender or the legally recognised representative(s) of these parties.
- Representatives of local communities will be notified and / or consulted.
- The final decision to relocate, store or decommission rests with Dublin City Council.
- The Press Office will be informed of proposals to relocate or decommission an artwork.
- The review process and action taken will be fully documented and filed in the City Council.
- Dublin City Council reserves the right to take immediate and appropriate action to protect public health and safety if the artwork is considered to be a cause of imminent danger. In this case, the work may only be removed to storage.

## **6. Assessment**

### **6.1 Initial Assessment**

The Public Art Manager, in consultation with other expertise if required, will undertake an initial assessment. This initial assessment will include:

- Assessment of how the application matches the decommissioning criteria.
- Whether the artwork is on the Register of Protected Structures.
- Review contracts or other legal agreements with artists, donors or lenders relating to the artwork.
- Document the artwork (both visual record and condition report).
- Examine the context of the commission including artists' statements.
- Assessment and recommendation / proposed action.

## **6.2 Further Assessment**

In the case where the Public Art Manager considers that the application meets one or more of the criteria, he will undertake a further assessment. A report will be prepared which provides the following information:

- Consultations and analysis.
- Legal issues and obligations.
- Valuation of the artwork.
- Estimate of the feasibility and costs of conservation, relocation, storage or deaccession.
- Recommendation.

## **6.3 Public Art Advisory Group**

The Public Art Advisory Group will consider all applications to have an artwork relocated, stored or deaccessioned and will make a recommendation.

- It can make a recommendation based on the information provided by the Public Art Manager or in certain cases request that further assessment be undertaken.
- The Public Art Advisory Group can request the attendance of the artist, lender, donor or other relevant experts.
- All relevant parties (including the applicant, artist, donor or lender) will be informed of the decision.
- In the case of deaccession, an official order will be signed before decommissioning takes place.

## **6.4 Strategic Policy Committee**

All proposals for the decommissioning of public artworks will be presented to the Arts, Culture, Leisure and Youth Affairs Strategic Policy Committee for decision.

## **7. Records and Documentation**

- The Public Art Register will be updated to reflect the status / location of the work.
- The artwork and the decommissioning process will be fully documented and filed in the City Council.

## **8. Future Contracts**

All future contracts commissioning 'permanent' public art will have a clause relating to the decommissioning of artworks. Issues to be included in contracts are life expectancy, review periods and maintenance agreements.

## **9. Acknowledgements**

This document was greatly informed by criteria and procedures in place for the Public Art Scheme in Auckland City Council, New Zealand.

[www.aucklandcity.govt.nz/council/documents/artresiting/contents.asp](http://www.aucklandcity.govt.nz/council/documents/artresiting/contents.asp)

### **9.1 Other research**

- Visual Artists Ireland, Info Pool, Ireland, [www.visualartists.ie/sfr\\_infopool](http://www.visualartists.ie/sfr_infopool)
- Public Art online Resources, UK [www.publicartonline.org.uk](http://www.publicartonline.org.uk)
- *Public Art by the Book*, City of Seattle Mayor's Office of Arts and Cultural Affairs, 2005
- *Making Shapes*, Public Art in Donegal 2006-2010. Donegal County Council
- *Place and Identity*, Dún Laoghaire Rathdown, Public Art Programme
- *Public Art Policy*, Northern Territory Government, Australia
- Swindon's Public Art Scheme, UK

**Ruairí Ó Cuív**  
**Public Art Manager**