

2025.07.08

4.9 Deputy H.L. Jeune of the Minister for the Environment regarding the Bridging Island Plan Policy GD10 – Percent for art (OQ.172/2025):

Will the Minister advise whether he is considering any reform or clarification of the Bridging Island Plan Policy GD10, Percentage for Art, which requires developers to contribute approximately 1 per cent of construction costs of larger developments to public art?

Deputy S.G. Luce of Grouville and St. Martin (The Minister for the Environment):

I can say to the Assembly I do not currently have any intention to reform GD10. As Members will know, interim amendments to the Island Plan are not possible between Island Plan debate. As part of the next Government's review though into the Island Plan, all policies, including GD10, will be evaluated based on performance and assessment of their effectiveness in achieving the intended policy outcomes. Until then the Bridging Island Plan remains the primary reference for planning decisions and GD10 will continue to guide the assessment of larger-scale developments in Jersey. I will just finish by saying that the Bridging Island Plan proposal 11 does recognise the need to update the current Supplementary Planning Guidance. While this work is not in the work programme, I do commit to looking at it to see what I might do in the short time I have left.

4.9.1 Deputy H.L. Jeune:

I thank the Minister for his answer. Is the Minister then satisfied the developers and Planning officers have adequate guidance to interpret the Percentage for Art requirement in innovative and site-specific ways?

Deputy S.G. Luce:

As we have already discussed, GD10 is a policy. The preamble to the policy says, and I will just quote a small part of it: "Public art needs to be located in a position where it can be experienced by or is visible to the public on land forming part of the application. Where this option cannot be delivered, the applicant will be required to justify reasons and have the option to procure and implement the public art off-site within the vicinity of the development area on land which is accessible to the public and subject to the agreement with the relative land owner." I do feel that currently there is enough guidance but, as I have said previously, I commit to looking at the S.P.G. (Supplementary Planning Guidance) and see if there is something I can do.

4.9.2 Deputy M. Tadier:

Does the Minister agree that if there were a revision of policy GD10, one possible option could be to, rather than putting the onus on the developer to provide the public art and ultimately decide what and where it goes, that the 1 per cent could be monetised and it could be reduced? So we could have, let us say 0.5 per cent for art but which goes into a central pot, which is then administered by maybe an arts body that could consult about public art so that it could be used in locations other than just where the developments are going to be.

Deputy S.G. Luce:

I do not disagree, that would be certainly something I would want to look at. It must be obvious that large schemes will not necessarily be easy for the public to look at and that the art on the site might be difficult for the public to view. There is some flexibility in this policy which allows for what the Deputy suggests. In some ways that makes it easier, in other ways it makes it more difficult, because subjectivity is always exactly what it says on the tin. I take the Deputy's views on board and I think it would be a good idea to review that.

4.9.3 Deputy M. Tadier:

I thank the Minister for his answer. Would he then also maybe consult with the Public Sculpture Trust, or whatever remains of it, to see if they have any ideas about how this policy could evolve?

Deputy S.G. Luce:

I am not aware of the Public Sculpture Trust but I will endeavour to find out about them.

4.9.4 Deputy L.K.F Stephenson:

What kind of message does the Minister believe the Government is sending out when it comes to the Percentage for Art policy when its own departments are seeking to have their developments exempted from it, like Oakfield?

Deputy S.G. Luce:

As I just said, there is some flexibility in this policy, and I accept the point that the Deputy raises. I know that this particular issue was raised. If my recollection serves me correctly, I think the answer was that it was important to put as much money as possible into this public facility. This particular facility is specifically for sport and it may well be that other applications for things like affordable housing, for example, and large schemes which might attract Percentage for Art contribution would again be let off that - if that is the right phrase - inasmuch as it is important to make houses as affordable as they possibly can be. I cannot offer the Deputy much more than that. I know it was discussed and I think the answer was they wanted to spend as much money as they could on the sporting facilities and not spend money on art.

4.9.5 Deputy L.K.F. Stephenson:

It does lead me nicely on to my follow-up question. Would the Minister be open in due course to perhaps looking at a way to repackage the policy, say a contribution to sport or play provisions in the local area of the development? It seems to me certainly that, while it may have been effective in its own way over the years, we have had a number of decades of this policy and perhaps it is a way to look at it in a different way now.

Deputy S.G. Luce:

The answer is not dissimilar to the one I have just given to Deputy Tadier. I think when we look at this policy there are lots of things that we could consider and that may well be one. I know in the past I have tried to bring community levies to this Assembly and failed miserably. That, in a way, was another way of getting any developer to contribute to a percentage of the scheme to community infrastructure, very much like the Deputy has just mentioned, playgrounds and things like that. Yes, I think it is fair that there is scope to look at this policy and this guidance again. Very shortly I would imagine the next Government will be doing that before they debate the next Island Plan.

4.9.6 Deputy J. Renouf:

A question more about process. Is the Minister aware that it is apparently the case that a large number of Percentage for art proposals in planning applications go through one person? Is he concerned that this *quasi* monopoly might be reducing creativity in interpreting the Percentage for Art requirement?

Deputy S.G. Luce:

I cannot say that I am specifically aware that very many of these applications run through one person but I think I may know where the Deputy is going. I think it is important that we consider all types of art. If it is a Percentage for Art, there could be very many avenues that we could be going down to provide that. I will commit to thinking about what the Deputy has suggested and make sure that we are giving a reasonable selection of people the opportunity to tender for Percentage for Art work.

4.9.7 Deputy J. Renouf:

Just to extend that a little further, will the Minister commit to clarifying with his own officers the potential for multiple people to be involved in putting in those applications for Percentage for Art schemes, they do not just have to use the person that has been used in the past?

Deputy S.G. Luce:

Yes, I am happy to do that. It may well be that if it is a very large scheme which attracts a considerable amount of money for the 1 per cent, it may be possible to split that into a number of different subsections around it if it is a large site. There are very many different ways that we could look at this. I think the message I am getting from Members today is this guidance, and specifically this policy, is something which needs to be looked at, and we need to consider many options.

4.9.8 Deputy H.L. Jeune:

I thank the Minister for his answers and for his last one about the importance of looking at this. I follow up really, before I asked about whether he thinks that developers and Planning officers have adequate guidance. The Minister quoted from the policy which specifically says that one would feel something about a piece of sculpture or a permanent sculpture, it is something that has to be on site. Yet, in the preamble to that policy within the Bridging Island Plan it says: "Public art encompasses a vast spectrum of art practices and forms from permanent sculptures to temporary art works, monuments, memorials, land art, specific work, street furniture, integrated architectural designs, socially-engaged practices and community-based projects." I would like to ask the Minister if he could go back and look at the guidance as soon as possible to understand that developers and his Planning Department see this Percentage for art not just as a standing one-piece sculpture fed through by one particular consultant, that this encompasses a wide range of art practices and forms, including socially-engaged practices and local Jersey artists at the heart. Thank you.

Deputy S.G. Luce:

There was lots in that question but I am very happy to commit to the Deputy to go away and have a good look at it. I would be very happy to consult with her further as to how we might change if we do change. I would finish by saying that there is no doubt in my mind that the Percentage for Art scheme has, in certain places, delivered some fantastic pieces of art which are permanent, which are very visible to the public. Most recently, one of the largest ones we have seen is a new piece of art down on the Waterfront near the Horizon building, which is a very, very spectacular piece of art. I encourage anybody who has not seen it to go and look at it. There are other pieces around St. Helier and I always find it amusing to looking at the dancer hanging from a wire on the building near the Esplanade and, more recently, a small sculpture on some buildings next door to the old Girls' College site, which one will see very clearly if you drive past. There is no doubt in my mind that Percentage for Art has a lot to contribute, but I take the Deputy's view and question on board, and that of other Members, and say that we will go away and have a look at this.