

REPORT OF CULTURAL DEVELOPMENT OFFICER

To: Community & Resources Committee

Subject: S106 Funding Allocation – Buckleigh Road Public Art

Date: 19th January 2026

Reference:

PURPOSE OF REPORT:

To approve the delivery of public art in Westward Ho! in line with S106 monies from the residential development at Buckleigh Road

1. INTRODUCTION

Torrige District Council is holding S106 funding from housing development 1/0251/2013/FULM (Land at Buckleigh Road, Westward Ho! Northam).

The full amount TDC has available for public art at 1/0251/2013/FULM (Land at Buckleigh Road, Westward Ho!, Northam is £97,843.25 (after indexing uplift).

The funds are identified in the S106 as a contribution to providing public art in the vicinity of the Land or otherwise enhancing the environment.

This is above the officer decision threshold of £20,000 and needs to be considered and voted on by this committee.

2. REPORT

Details of the S106 agreement

Planning Permission (Ref 1/0251/2013/FULM) was granted by Torrige District Council in 2014 in relation to the development of land at Buckleigh Road, Northam by Wain Homes.

Planning Obligations under Section 106 of the Town and Country Planning Act (1990) help mitigate the impact of new developments on local communities and ensure that developers contribute to infrastructure and other improvements.

A Planning Obligation under this Section was made to Torrige District Council by the Developers (Wain Homes) and the owners of the land.

Under Schedule One of the agreement the developer makes legally binding commitments in relation to Open Space, Surface Water Drainage, management charging and Public Art.



With regards to Public Art, the agreement with Wain Homes allows for a Developer *Contribution of £66,000 as a contribution to providing public art on in the vicinity of the Land or otherwise enhancing the environment of the vicinity of the Land.*

Commitments under the Section 106 agreement are index-linked and the value of this contribution now stands at £97,843.

The allocation is required to be spent within 10 years of Torridge District Council receiving the contribution from the Developer.

Torridge District Council received the contribution from Wain Homes in December 2023 and the sum must be spent on the agreed provision by December 2033.

These are Restricted Funds and can only be used for the purpose stated.

Strategic rationale and definition of public art

The Northern Devon Cultural Strategy 2022 to 2027 highlights the potential to make culture visible so that it is a source of pride to our communities and attractive for people to visit. The strategy undertakes as one of its nine priorities to 'maximise the potential for culture in the public realm of town centres throughout the region'.

The Council does not currently have a district-wide Public Art Strategy. At town level, public art is identified as a priority, for example in the Bideford Cultural Investment Plan.

What is Public Art?

Public art is broad and can include creative input into landscaping, design, use of materials, surfaces, footpaths, green space and street furniture, as well as more traditional models of standalone commissioned sculptures or installations. The process is important, takes time and needs specialist knowledge.

Public art generally has three defining features:

- developed through public process
- exists in the public realm
- has public sanction.

Examples of public art:

<https://www.biennial.com/project/antony-gormley-another-place/>

<https://www.creativefolkestone.org.uk/artists/jyll-bradley-2/>

[Flatbread Society Bakehouse - Futurefarmers](#) (avoid clicking on 'Project Website' box (invalid link))



What is not Public Art

Memorials, traditional signage, tribute artworks and plaques, promotional signs and murals created without a public process are not generally considered public art.

Process

A core steering group including Torridge District Council Ward Members for Westward Ho!, Northam Town Council, Torridge District Council Cultural Development Officer and Economic Development Manager, the Burton at Bideford and Devon Highways was established in September 2025.

The Steering Group agreed the initial process, including use of a community survey to gather local views and identify members of the community to join the steering group at the next stage.

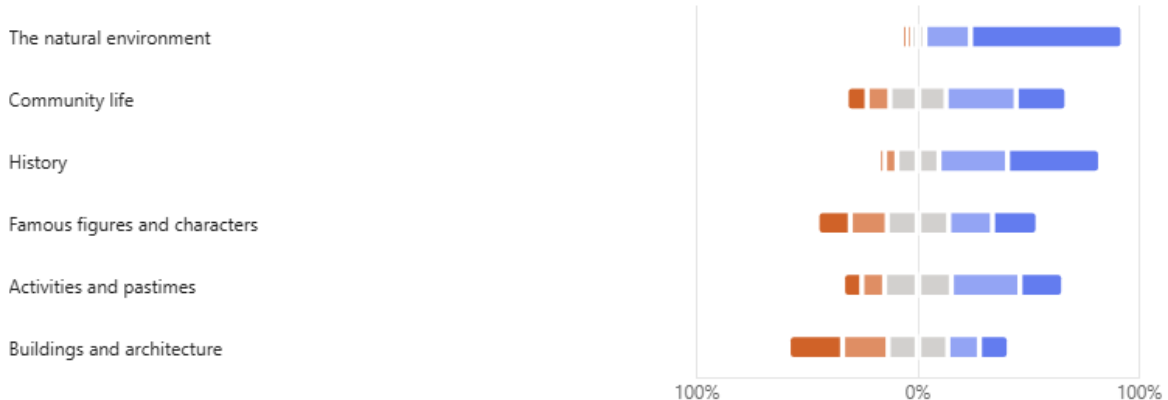
The community engagement survey closed on 3rd November, with 126 responses.

- Key points:
 - Overall: Response to the prospect of public art in Westward Ho! was overwhelmingly positive
 - Themes: There was broad support for artworks that reflect the natural environment, community life, activities and pastimes

1. What are the most important aspects of Westward Ho! that should be reflected in the new artworks? (1 = not important; 5 = very important)

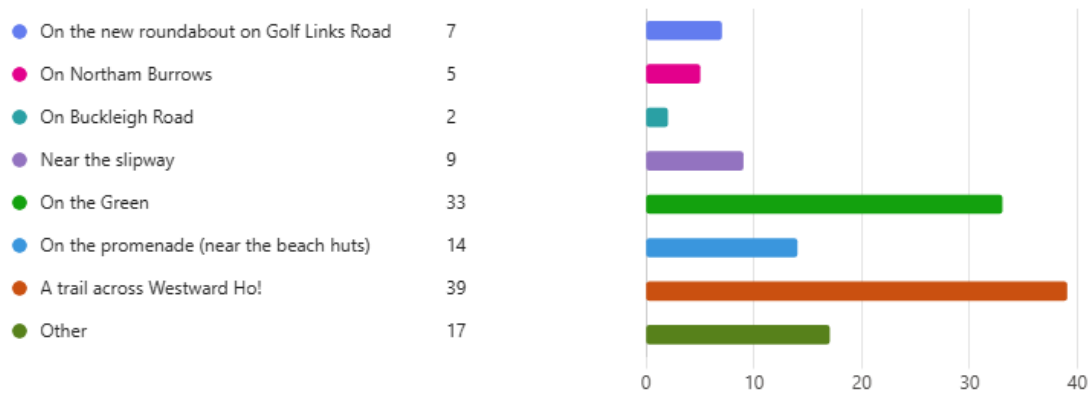
[More details](#)

● 1 = not important ● 2 = slightly important ● 3 = moderately important ● 4 = important ● 5 = very important



- Location: a trail of artworks across Westward Ho! was favoured, with the Green being the most popular individual site

4. Where would you like to see public art in Westward Ho? [More details](#)



Steering Group recruitment: 29 local people expressed an interest in joining the project’s steering group, and a selection process will be undertaken early in 2026 to recruit to a managed number of places on the steering group. Remaining interested individuals will be held on a database to receive updates and invitations to further engagement activities.

Artist commissioning: The Cultural Development Officer will use the results from the community engagement survey to draft an initial artist call-out for circulation to the steering group and subsequently to potential artists via local and national channels.

A shortlist of up to three artists will then be invited to work up proposals in more detail for sharing with the steering group.

As the value of the resulting contracted works is over the Officer decision-making threshold, final proposals for the works to be realised will be submitted to Community & Resources Committee.

Case Study: Learning from current Rural England Prosperity Fund (REPF) project in Bideford

In August 2025 Torridge District Council commissioned the specialist public art and placemaking consultancy Company Place following an Invitation to Tender procurement process.

Company Place has been working with the Cultural Development Officer to design and deliver a robust process of artist selection and public engagement, underscored by public art specialist expertise and awareness of Health & Safety, Planning and structural engineering considerations in the public realm.

In November 2025, Company Place and the selected lead artists, Supergroup delivered a three day research and design workshop for young people at SPACE in Bideford, with input from the Burton at Bideford team and local engineer Ted Picken, with the young people paid for their involvement in line with best practice to remove barriers to engagement.



Design concepts were presented to Torridge District Council and Burton at Bideford in December, shaped by young people's ideas emerging from the workshop.

A process of engagement with local companies including Navantia and CMTG has been guided by the consultancy, with the aim of commissioning some of the fabrication locally.

Concepts for a coherent set of artworks informed by Bideford's maritime and ceramics heritage together with an innovative maritime future will be developed alongside submissions for Planning Permission in the first quarter of 2026 (Jan-Mar).

Key Learning from REPF funded project:

- Public process: The importance of an authentic and well-designed public process to deliver work that is genuinely shaped by and part of the local community, achieving widespread local support.
- Placemaking: The value of national specialist expertise in public art commissioning to achieve work that is original and distinctive, 'of place' and generates excitement and pride beyond the arts community and attracts visitors
- Commission management: the importance of work that is robustly conceived and designed through technical and material expertise and understanding of health and safety and engineering processes in the public realm
- De-risking: The importance of specialist public art experience in ensuring that capital expenditure is de-risked.

The Burton at Bideford – management role

The Cultural Development Officer role is likely to reduce to a 0.2 FTE contract from April 2026 as a result of the removal of Shared Prosperity Funding nationally. Delivery by the Cultural Development Officer is therefore not considered a viable option.

It is therefore imperative to ensure that this commission is commenced urgently and that external expertise is secured to ensure delivery.

In November 2025 the Community and Resources Committee approved by 11 to 1 to extend The Burton's Service Level Agreement with Torridge District Council for another 5 years, citing the impact and importance of culture and the arts for community and economic wellbeing. The Director of The Burton has significant direct experience of delivering major public arts programmes and The Burton itself has a strong industry credibility, including in its role as a National Portfolio Organisation for the Arts Council England.

To further boost local capability levels and to create a template for future public art commissions it is therefore proposed to commission The Burton for the required management and delivery role as part of the S106 delivery, capitalising the management costs. The proposed allocation for management of delivery is £17,000 out of a total budget of £97,843.25.

Lifespan of public artwork, future ownership, management and maintenance



Under the Section 106 agreement, the developer undertakes to ensure that a Management Body funded by a periodic charge against the owners of the new dwellings enables maintenance and management of the Public Open Space and Surface Water Drainage System.

The agreement omits the requirement for the developer to secure arrangements for the future ownership, management and maintenance of the Public Art.

Consideration should therefore be given to:

- ownership and resourcing of public art resulting from the Section 106 agreement.
- the expected lifespan of commissioned works and whether temporary works or curated events would be favourable.

3. IMPLICATIONS

Legal Implications

Contract for service will be required between TDC and The Burton at Bideford.

Financial Implications

No Torridge District Council direct financial investment required. S106 monies were approved and triggers have been met.

Human Resources Implications

Officer time will be required for the delivery of the commission. This will be led by the Cultural Development Officer, supported by the Economic Development Manager and in liaison with the Economic Development Community Engagement Project Officer and the Planning Policy team.

Sustainability/Biodiversity Implications

The natural environment was listed as the most important aspect for the community in the community engagement survey- this should therefore be both promoted and protected as part of delivery. Where Planning permission is required BNG will be considered and addressed.

Equality/Diversity

N/A

Risk Management

The core risk is around non-delivery of the commission, with both reputational damage and a failure to deliver for the good of the local community and economy. These funds have not been deliverable due to a lack of internal expertise and experience, which has now been addressed through the role of the Cultural Development Officer and the learning achieved from commissioning and delivery of



the Rural England Prosperity Fund commission in Bideford for public realm, wayfinding and public art.

Compliance with Policies and Strategies

- **The North Devon and Torridge Local Plan, 2018 - 2031**
- **The Torridge District Council Strategic Plan, 2020-23 (Annex 18)**, which states as the first objective an ambition to “promote aspiration and growth to create a vibrant culture and thriving economy with quality jobs”
- **The North Devon and Torridge Economic Strategy (2024 – 2029)**
- **The Northern Devon Cultural Strategy (2022-2027)**
- **The Bideford Cultural Investment Plan (September 2024)**

Data Protection (GDPR) Implications

None

Climate Change

Torridge District Council's Climate Emergency declaration and the government's Net Zero agenda will be at the forefront of plans and considerations. Opportunities for regeneration within a net zero agenda and also respecting the Devon Climate Emergency commitments are considered.

Ward Member Views

Date of Consultation – January 2026

Councillor Louis Bach, Ward Member Westward Ho!

Councillor Claire Hodson, Ward Member Westward Ho! :

‘We are supportive of your recommendations and are confident that your knowledgeable and professional approach to this project will produce outcomes that will benefit and enhance the community of Westward Ho!’

Lead Member Views

Date of Consultation – January 2026

Councillor Cheryl Cottle-Hunkin, Lead Member for Culture & Community Engagement:

“I’m excited to see this project moving forward. Public art has the power to celebrate our unique identity, connect people and create spaces that inspire pride and joy in our community. By working with The Burton and engaging local voices, we’re ensuring that Westward Ho! will have something truly distinctive and meaningful; art that reflects our natural beauty and vibrant culture while attracting visitors and boosting our local economy.”

4. CONCLUSIONS

The Steering Group including Ward Members will continue to work with the Cultural Development Officer to develop the brief for the work and being the selection process. A clear process is now



established, including learning from REPF, which will enable this Public Art S106 to be effectively delivered for the positive gain of Westward Ho!

5. RECOMMENDATIONS

For this committee to approve:

- the delegation of oversight for the delivery of the Buckleigh Road public art S106 to the established steering group.
- the procurement of artists for delivery of the public art, based on the community engagement responses.
- that final proposals for the works will be submitted to Community & Resources Committee for approval.
- the commissioning of The Burton at Bideford for management of delivery.

SUPPORTING INFORMATION

Consultations: Date of Consultation –
 Officers Consulted –
 Sean Kearney, Head of Communities and Place
 Chris Fuller, Economic Development Manager
 Adrian Avery, Community Engagement Project Officer
 Ian Rowland, Planning Policy Team Leader

Contact Officer: Claire Gulliver, Cultural Development Officer

Background Papers:

