

## Report No.3

### Report to Full Council 29<sup>th</sup> October 2013

#### Loan of Sculpture

##### 1. Purpose of the report

To advise Council of the opportunity to accept on loan a sculpture of a monk to be placed at the corner of Oxford Street and Cross Hayes Lane

##### 2. Background

2.1 Mr and Mrs W A Sykes, of Tower House, Oxford Street, wish to make a sculpture of a seated monk available to the Town on a recurring loan at peppercorn rent.

2.2 The sculpture in bronze resin is by Bill Lazard who is well known for his interpretation of religious figures. One of his sculptures, of a contemplative monk, is in Abbey House gardens and there are others in private collections and at the Abbaye de Vaucelles in France. The picture shows the clay mold from which the sculpture would be cast.



2.3 The sculpture would commemorate Malmesbury's history as one of the three main ecclesiastical centres in the country in the Middle Ages.

2.4 The proposal is to place the sculpture on the flower bed under the trees at the corner of Oxford Street and Cross Hayes lane. Mr & Mrs Sykes, who live opposite, see a regular stream of people on the tourist town walk past that spot.

2.5 A draft Loan Agreement has been received by the Council from Mr & Mrs Sykes which, in brief:

(a) offers the sculpture for a 5-year Loan Period for a fee of £1 to be automatically extended every five years unless the agreement is terminated;

(b) allows the Town Council to make images of the sculpture for education and publicity purposes;

(c) requires the Town Council to exhibit the sculpture, check its condition and maintain it;

(d) requires the Town Council to be responsible for the security of the sculpture and insure it.

2.6 The Town Promotion and Tourism Committee has agreed to accept reasonable costs to prepare the garden and fund the construction of a concrete base for the sculpture. This garden preparation work is part of a general scheme of refurbishment of the flower bed under the trees at this junction.

- 2.7 The Planning and Environmental Issues Committee recommended accepting the offer from Mr & Mrs Sykes but to determine the implications in the case of vandalism, liabilities, and details of delivery. In these investigations it has been found that the sculpture is likely to require planning permission and possibly listed building consent as it is in the curtilage of the Town Hall. Consequently and in regard to the importance of the sculpture to the town, the Town Council is invited to agree this proposal.

3. Proposal

- 3.1 To agree the recommendation of the Planning and Environmental Issues Committee that the loan offer be accepted.
- 3.2 To agree the recommendation of the Town Promotion and Tourism Committee that the works to construct a concrete base for the sculpture should proceed when necessary.
- 3.3 To ask the Town Clerk to proceed with obtaining the necessary planning permissions.
- 3.4 To ask the Town Clerk to negotiate, agree and sign a Loan Agreement for the sculpture.
- 3.5 To ask the Town Clerk to make arrangements for the delivery, maintenance and insurance of the sculpture as appropriate

4. Financial implications and risks

Council is advised that there will be costs associated with the base (from TP&T Projects budget) and ongoing care and maintenance of the sculpture. There will be an increase in the Council's insurance premium. There will also be a cost of applying for planning permission.

5. Recommendations

Councillors are requested to agree the above proposal.

Cllr J. Gundry  
Mayor and Chair, P&E  
Cllr S. Poole  
Chair, TP&T  
22nd October 2013