



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

NATIONAL GALLERIES OF SCOTLAND BILL COMMITTEE

Thursday 29 October 2015

Thursday 29 October 2015

CONTENTS

	Col.
DECISION ON TAKING BUSINESS IN PRIVATE	1
NATIONAL GALLERIES OF SCOTLAND BILL: PRELIMINARY STAGE.....	2

NATIONAL GALLERIES OF SCOTLAND BILL COMMITTEE

3rd Meeting 2015, Session 4

CONVENER

*Anne McTaggart (Glasgow) (Lab)

DEPUTY CONVENER

*Fiona McLeod (Strathkelvin and Bearsden) (SNP)

COMMITTEE MEMBERS

*Jean Urquhart (Highlands and Islands) (Ind)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Karen Stevenson (City of Edinburgh Council)

Graham Tully (City of Edinburgh Council)

CLERK TO THE COMMITTEE

Clare O'Neill

LOCATION

The James Clerk Maxwell Room (CR4)

Scottish Parliament

National Galleries of Scotland Bill Committee

Thursday 29 October 2015

[The Convener opened the meeting at 10:00]

Decision on Taking Business in Private

The Convener (Anne McTaggart): Good morning and welcome to the third meeting in 2015 of the National Galleries of Scotland Bill Committee.

I ask everyone to switch off mobile phones and any other electronic devices as they interfere with the broadcasting system even when they are switched to silent. However, committee members may use tablets for committee business as the meeting papers are now provided in digital format.

Item 1 is a decision on taking business in private. Do members agree to take in private item 3, which is consideration of the evidence that we will hear this morning to inform our preliminary stage report?

Members *indicated agreement.*

National Galleries of Scotland Bill: Preliminary Stage

10:00

The Convener: Item 2 is our main item of business and is an evidence-taking session with representatives of the City of Edinburgh Council to follow up the committee's session with the promoters of the National Galleries of Scotland Bill on 8 October.

I welcome Graham Tully, estates services manager, and Karen Stevenson, senior planner, from the City of Edinburgh Council. I understand that Karen Stevenson wishes to make a short opening statement before we move to questions.

Karen Stevenson (City of Edinburgh Council): I would like to make an introductory statement, if that is okay.

The Convener: That would be grand.

Karen Stevenson: The City of Edinburgh Council has a working relationship with the National Galleries of Scotland, with regular collaboration on the management, maintenance and operation of the Mound precinct and the Weston link entrance within east Princes Street gardens.

In 2011, the council, through its planning function, began to work with the National Galleries to review how future investment in the area could best meet the needs of a variety of users and reinforce the special qualities of the gallery complex and its relationship with Princes Street gardens and the surrounding area. The council highlighted the particular problem of the legibility of some of the connections for people navigating around and through the area. Princes Street gardens are a centrepiece of the world heritage site, providing a linking landscape feature between the old and new towns of Edinburgh. The council has a management and conservation plan in place to guide changes to the gardens.

The council continued the dialogue with the National Galleries design team during the development of the proposals and we agree that further work is required to ensure appropriate integration within the gardens.

The council's legal and property teams have worked with the National Galleries in the promotion of the National Galleries of Scotland Bill. They secured a mandate from the council's finance and resources committee on 3 February to engage with the National Galleries over the sale of the land, the terms of which will require further committee approval. As planning authority, the council has had pre-application discussions with

the National Galleries, and it expects planning and listed building applications in due course.

The Convener: Thank you. Some of the committee's questions may have been answered by that opening statement.

When the bill promoters met the committee, they indicated that the council agreed with the bill and that there had been close discussions between the council and the promoters about the project. Would you expand on those discussions and the nature of the co-operation between the various council departments and the promoters?

Karen Stevenson: In my introduction, I touched on how far back the discussions go. The original working partnership with the National Galleries started a few years ago, and we have a constant working relationship over the management of the gallery. We have engaged principally through the planning department and the planning function of the council, but the planning department has drawn in other departments within the council such as the parks and finance departments and the property department, as represented by my colleague Graham Tully. In addition, the arts teams, transport and a range of other departments have an interest in the gardens and the whole Mound complex.

The arrangement is complicated, and it involves a number of people. We have certainly had a lot of discussions about how to progress changes and the implications of what the National Galleries might or might not want to do. We have worked in partnership with it and been by its side during the process of appointing the design team and thinking about the way in which the building could be changed. We have, for example, attended design team meetings.

However, all that has been done on a preliminary basis, and no formal planning position has been taken. Things are still very much at the pre-application stage.

Graham Tully (City of Edinburgh Council): The council is certainly delighted to hear about the possibility of investment in the gallery, and at the meeting of its finance and resources committee on 3 February, it supported the National Galleries in the commencement of the process as the first stage in achieving improvements.

The Convener: I have one more question, after which I will open it up to committee members.

What will be the likely impact on the gardens during construction? I am not sure whether that question is for Mr Tully or Ms Stevenson.

Karen Stevenson: I can give you a broad answer to that.

The actual changes to the building might require sections of the gardens to be closed off, but of course, that would happen with any development. When we hold festivals and events in the gardens, we have to restrict access to certain parts, and I think that people are used to that. Alternative routes and accesses around the works can and would have to be put in place; indeed, given the building's location in the city centre, it would be reasonable to expect that to happen.

Graham Tully: Estates services will have discussions with our colleagues in the parks department, and the council and the National Galleries will enter into a licence agreement to govern on-site operations with regard to method statements of working, hours of working and so on so that we can control the impact on the gardens.

The Convener: Thank you. My colleague Fiona McLeod will now ask a few questions.

Fiona McLeod (Strathkelvin and Bearsden) (SNP): As you will know, one of the primary purposes of the preliminary stage of a private bill is to consider whether there is a need for such a bill. Why has the council supported the National Galleries in going down this route, especially given that, for the Playfair project in 2003, the council first went to court in order to dispose of the inalienable common good aspect? This time, the National Galleries has decided to put both aspects into one bill. What is the council's feeling on that? I know that you support the approach, but perhaps you can reiterate that support.

Graham Tully: I am not a lawyer, but I know from discussions with the council's legal team that they concurred with the National Galleries legal team that the various legal hoops could be wrapped up in a single parliamentary process.

Fiona McLeod: In that case, I might well be asking the wrong person my next question. Given that the City of Edinburgh District Council Order Confirmation Act 1991 prevents the council from building on the gardens, except for specific purposes such as the installation of electricity generators, why was no consideration given to amending the 1991 act in this case? Was the council worried that amending the act for this purpose would leave the gardens open to a lot more development?

Graham Tully: I cannot really comment on that finer point.

Fiona McLeod: Perhaps we should write to the council on the matter.

Karen Stevenson: Indeed. If you write to us, we will be able to give you a response.

Fiona McLeod: Thank you.

Jean Urquhart (Highlands and Islands) (Ind):

Can you clarify the arrangements for the transfer of common good land and the council's evaluation of best value? I am asking that because there could be a headline along the lines of "Council sells off parts of Princes Street gardens—shock, horror". The development will be wonderful for the council and the gallery as well as for most of the general public, but how do you evaluate that best value to handle public concern?

Graham Tully: I agree that there are sensitivities around the gardens and the issue of common good. Clearly, the entire principle of the project is governed by this process and by the planning process, but when it comes to the transfer arrangements the council will appoint external valuers to assess best value. They will look at the fact that what is being transferred is quite a narrow strip that is about 5m wide, which does not have a lot of value on its own. They will also look at the fact that the gardens will benefit from some improvements to access. That basket of benefits will capture best value.

Jean Urquhart: We went on a site visit and there seem to be very positive outcomes in this instance, but it is important that we record and acknowledge just what those are through the bill. There will be disabled access and the monument to the Spanish civil war, which has never really been given much prominence, will be in a better place. Do you agree that we want to sell—for want of a better word—to the public the benefits of better access, a more enjoyable space, improvement to the Playfair steps and so on?

Graham Tully: Absolutely. As Karen Stevenson mentioned, following the valuers' assessment, we will have discussions about other terms such as rights of access to maintain and clean the façade that is being created. All that will be documented and reported back to the committee. That report will be a public document so that people can see all the benefits flowing from the project.

Jean Urquhart: Thank you.

The Convener: Thank you for that. We are on to the last question, you will be glad to hear.

The legal obstacle in the 1991 act is the same one that led to the Playfair project needing parliamentary approval in 2003. Although this point does not relate to the bill itself, can you say whether a more general amendment needs to be made to the 1991 act to make an exception for public museums and galleries so that private bills are no longer needed for construction linked to such buildings in the gardens? What is your opinion on that?

Graham Tully: I would have to have discussions with our colleagues in parks to see whether any risks are associated with that

because, obviously, there are sensitivities surrounding the gardens and their use and, at this stage, it is quite difficult to identify whether such an exception would open the door to intrusions into the gardens.

Karen Stevenson: Certain specific uses are defined in planning legislation but, again, there will be sensitivities around those terms that the legal experts will have to look at very carefully.

The Convener: The committee may want write to you to get some clarification on that.

Graham Tully: We will restrict the use of the development taking place on this 5m strip of land to gallery space and ancillary uses, for the very reason that there are sensitivities around the use of the gardens.

The Convener: That clarifies the point. If we need any further clarification, we will write to you and ask you to get back to us to put that on the record.

We have covered all the questions that we were aiming to ask, so I thank you once again for coming along this morning. It has been a brief but fairly wholesome meeting.

10:15

Meeting continued in private until 10:25.

This is the final edition of the *Official Report* of this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

Published in Edinburgh by the Scottish Parliamentary Corporate Body

All documents are available on
the Scottish Parliament website at:

www.scottish.parliament.uk

Information on non-endorsed print suppliers
Is available here:

www.scottish.parliament.uk/documents

For information on the Scottish Parliament contact
Public Information on:

Telephone: 0131 348 5000

Textphone: 0800 092 7100

Email: sp.info@scottish.parliament.uk
