

# Corporate Policy and Strategy Committee

10.00am, Tuesday, 12 April 2016

## West Princes Street Gardens and the Ross Bandstand: an opportunity for renewal

Item number	7.4
Report number	
Executive	
Wards	All

### Executive summary

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West Princes Street Gardens (WPSG), beneath Edinburgh Castle, is part of one of the city's premier parks in the heart of a UNESCO World Heritage Site. WPSG is home to the Ross Bandstand and the Ross Fountain; provides leisure and cultural opportunities for residents and visitors alike; and is regularly seen by millions around the world when it plays host to elements of Edinburgh International Festival and Edinburgh's Hogmanay.

The Ross Bandstand is no longer fit for purpose and requires to be replaced, the Ross Fountain requires refurbishment, and other elements of the Gardens would also benefit from investment, including better pedestrian and vehicular access, landscaping, signage and visitor facilities.

A potential benefactor has formed a steering group and offered to support the Council to identify external funding for the above substantial programme of work for these significant assets, taking into account the requirements of relevant legislation and risks inherent in the location. This information is presented for the Committee's strategic oversight. A further report will be presented to Council in June, once the optimum way forward has been identified.

### Links

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Coalition pledges	P24
Council outcomes	CO20
Single Outcome Agreement	SO1

## West Princes Street Gardens and the Ross Bandstand: an opportunity for renewal

### Recommendations

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The Committee:

- 1.1 acknowledges the importance of the Ross Bandstand in West Princes Street Gardens to Edinburgh's reputation, its festivals and events programme and as a source of residents' pride in our city, and notes that the Bandstand is no longer fit for purpose;
- 1.2 welcomes the work carried out to date, on a voluntary basis, by a potential benefactor and an independent Steering Group to develop an outline proposal to refurbish elements of West Princes Street Gardens and redevelop the Ross Bandstand;
- 1.3 welcomes and endorses the ambition demonstrated by the Steering Group to date and thanks its members for their personal commitment to this project;
- 1.4 notes that a programme of capital works in West Princes St Gardens could provide the Council with enhanced assets, including a new Ross Bandstand;
- 1.5 notes that careful management of the project will be required, as technical, topographical and legal issues create inherent difficulties for any development in West Princes Street Gardens; these include the mainline rail route which cuts through the Gardens, the site's status as inalienable Common Good land and the City of Edinburgh District Council Order Confirmation Act 1991; and
- 1.6 notes that following further due diligence, a report will be presented to Council in June detailing the project's stages, decision points, timescale and legal requirements and seeking approval to proceed.

### Background

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- 2.1 The current Bandstand was designed and built in 1935. Since its initial construction, the building has been upgraded and extended a number of times.
- 2.2 The Ross Bandstand has been a key asset in West Princes Street Gardens (WPSG) – one of the most visited public parks in Scotland, connecting the Old and New Town halves of a World Heritage Site. The Bandstand, which is owned by the Council and currently operated by the Culture Service, occupies a sensitive location in the Gardens in the shadow of Edinburgh Castle. The most

high profile core annual uses are the Edinburgh International Festival's Fireworks Concert produced by the Scottish Chamber Orchestra and Edinburgh's Hogmanay. However, the Bandstand's condition has deteriorated over time and is no longer fit for purpose, although some interim maintenance works for health and safety purposes have recently been undertaken.

## Main report

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- 3.1 With input from Mr Springford, founder of Apex Hotels Ltd and a potential benefactor, and an independent Steering Group he has formed, Council officers are developing an outline proposal for improvements to the landscaping of and access to the Gardens, the replacement of the Ross Bandstand, and options for the Ross Fountain restoration. This work is taking place on the basis that any eventual project would be externally funded.
- 3.2 As part of due diligence on the feasibility of the proposed project, the Council set up an internal Working Group, chaired by the Culture Service, to advise on the proposal with officer representation from Culture, Parks, Finance, Planning, Economic Development, Legal, Business Intelligence and Procurement.
- 3.3 The Steering Group consulted a range of potential users and stakeholders including Edinburgh World Heritage Trust, the Cockburn Association, Network Rail, Edinburgh International Festival, the Scottish Chamber Orchestra and Unique Events as part of the above work. The outcomes were shared with all the members of the Council's Working Group for their review and comment.

### Issues

- 3.4 Princes Street Gardens is part of the Council's inalienable Common Good Land. Under the Local Government (Scotland) Act 1973, any lease of a new Bandstand would currently require court consent.
- 3.5 The City of Edinburgh District Council Order Confirmation Act 1991 sets certain restrictions on building in some of the city's parks. In Princes Street Gardens, only the following permanent buildings are permitted: "lodges for gardeners and keepers, hothouses and conservatories, monuments, bandstands, public conveniences, police boxes and buildings for housing apparatus for the supply of electricity and gas". Any additional visitor facilities, for example, would require an amendment to the 1991 Act.
- 3.6 In order to amend the 1991 Act, a private bill requires to be brought by the Council before the Scottish Parliament. The process of consultation in relation to the proposals, drafting and lodging the relevant bill and associated documentation, and the various stages of parliamentary discussion could take approximately 18 months. Although the Council has amended the 1991 Act on a number of occasions in the past, there is no certainty that the private bill would be passed to become law.

- 3.7 The replacement of two bridges which span the railway line - a main arterial route - would also require extensive planning and permissions. Their replacement is necessary to improve vehicular access for the capital works, and in the longer term, for event organisers, emergency vehicles and park maintenance. This aspect of the project will require the agreement of, and a close working relationship with, Network Rail.
- 3.8 The Ross Bandstand and the red blaes area are both essential to the delivery of the annual Festival Fireworks and Edinburgh's Hogmanay. It would be a condition of any future development that those uses be accommodated in the new facilities. The new Bandstand would be expected to provide superior contemporary facilities that would accommodate a wide range of events.
- 3.9 The implications of the new procurement regulations which come into force in April 2016 are being considered by officers.

#### **Next Steps**

- 3.10 A report will be presented to Council in June recommending the optimum way forward.

#### **Measures of success**

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- 4.1 The refurbishment and development of West Princes Street Gardens, to the benefit of residents, visitors, event organisers and Festivals, and Edinburgh's reputation.

#### **Financial impact**

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- 5.1 With the possible exception of the Ross Fountain, for which the Culture Service has fundraising planned, the Council has no funding source identified for this project and discussions with the independent Steering Group have been held on that basis.

#### **Risk, policy, compliance and governance impact**

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- 6.1 The level of interest in any call for tenders may be limited, given the nature of the site, the requirement for any bidder to raise the requisite capital sum with no or possibly very limited funding from the Council (for the Ross Fountain), and the risk that all the relevant permissions may not be granted (for example permission to amend the 1991 Act, Planning approval, Court approval to lease the Bandstand and new facilities, changes to railway bridges, etc). In addition, there are risks that the fundraising may not be successful and that the proposal may attract some negative responses.
- 6.2 Refurbishing and replacing assets in West Princes Street Gardens would fit well with the aims of relevant local and national policies and strategies.

## Equalities impact

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- 7.1 This proposal would improve access to Princes Street Gardens for all visitors.
- 7.2 The project would be subject to public procurement.

## Sustainability impact

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- 8.1 This proposal could enhance the West Princes Street Gardens environment; access to the Gardens; the Festivals and events programme in Edinburgh; and opportunities for smaller scale events and activities.

## Consultation and engagement

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- 9.1 As noted above, some consultation has already taken place as part of the feasibility work. Further consultation would be required in relation to any amendment to the 1991 Act.

## Background reading / external references

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Ross Fountain report to Culture and Sport Committee on [21 October 2014](#)

### Paul Lawrence

Executive Director of Place

Contact:

Lindsay Robertson, Culture Service Manager (Arts, Festivals & Events)

E-mail: [lindsay.robertson@edinburgh.gov.uk](mailto:lindsay.robertson@edinburgh.gov.uk) | Tel: 0131 529 6719

## Links

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<b>Coalition pledges</b>	P24 - Maintain and embrace support for our world-famous festivals and events
<b>Council outcomes</b>	CO20 - Culture, sport and major events – Edinburgh continues to be a leading cultural city where culture and sport play a central part in the lives and futures of citizens
<b>Single Outcome Agreement Appendices</b>	SO1 – Edinburgh’s economy delivers increased investment, jobs and opportunities for all.