

# Transport and Environment Committee

10.00, Thursday, 4 October 2018

## West Princes Street Gardens Project – Update

<b>Item number</b>	7.6
<b>Report number</b>	
<b>Executive/routine</b>	Executive
<b>Wards</b>	City Centre
<b>Council Commitments</b>	15,43,46

### Executive Summary

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The Council entered into a development agreement for improvements to West Princes Street Gardens (WPSG) and replacement of the Ross Bandstand with the Ross Development Trust (RDT) in December 2016. Since then significant progress has been made, including the wonderful restoration of the Ross Fountain, which was completed this summer.

However, as detailed in a report to the Culture and Communities Committee in [March 2018](#), through a series of joint workshops early in 2018 RDT and Council officers had explored opportunities for delivery which would enable fundraising to progress, secure a long-term sustainable legacy and ensure delivery of the project.

At the request of the Culture and Communities Committee a public consultation exercise, led by the Council, ran from 26 June 2018 to 14 September 2018 to gauge the level of public support for the key principles, on the future management arrangements, and on operational aspects of the project.

This report sets out the results from the consultation and proposes to revise the current working agreement between the City of Edinburgh Council and the RDT.

## West Princes Street Gardens Project - Update

### 1. Recommendations

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- 1.1 It is recommended that Transport and Environment Committee:
  - 1.1.1 Note the results of the public consultation as set out in paragraph 3.1 and appendix 1;
  - 1.1.2 Note that the level of major events in WPSG is set out in the Parks Manifesto (currently a maximum of five per year) and that any proposed change to this would be subject to Committee approval;
  - 1.1.3 Agree that the management and control of all aspects of the gardens should remain with the Council;
  - 1.1.4 Approve the changes proposed to the Development Agreement (DA) between the Council and RDT (as set out in paragraph 3.8) and delegate authority to the Executive Director of Place in consultation with the Convener and Vice Convener of Transport and Environment to progress the development of the revised DA on this basis;
  - 1.1.5 Note that a summary of the RDT fundraising plan is set out in paragraphs 3.10 – 3.13; and
  - 1.1.6 Approve governance and resourcing of the project going forward as set out in paragraphs 3.14 – 3.19.

### 2. Background

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- 2.1 RDT was established as a Scottish Charitable Incorporated Organisation (SCIO) and entered into a Development Agreement (DA), with the Council in December 2016, to support the delivery of the WPSG project, which included a replacement bandstand (Pavilion) and a new Garden Reception Building.
- 2.2 Council officers have worked closely with RDT since its inception and both organisations have dedicated significant staff time and resources to the project.
- 2.3 The current DA between RDT and the Council governs the delivery by RDT of the various Works Packages as part of the Project, as set out below:
  - Design competition for the bandstand and Garden Reception Building (now complete);

- Refurbishment of the Ross Fountain (now complete);
  - Refurbishment of the gardener's cottage (now complete);
  - Refurbishment of the shelters;
  - Refurbishment of the red blaes area;
  - Ancillary signage, lighting, and garden improvements;
  - Construction/redevelopment of the bandstand and Garden Reception Building; and
  - Redevelopment/reconstruction of the bridges over the railway lines to access WPSG.
- 2.4 RDT has financed and completed work on two aspects of the project - the refurbishment of both the Gardener's Cottage (completed in Summer 2017) and the Ross Fountain (completed in Summer 2018). The architectural competition for the Bandstand was successfully completed in August 2017 with the entry from WHY selected.
- 2.5 However, the report in March 2018 indicated that RDT required greater clarity on the detail of future governance and operation of the new Pavilion and Garden Reception Building as a pre-requisite for the substantive fundraising appeal and campaign.
- 2.6 In addition, a series of workshops explored potential issues, opportunities and challenges in considering the following options for taking forward the improvements to WPSG and the replacement of the Ross Bandstand:
- Retaining the existing development agreement;
  - RDT taking full control;
  - The Council taking full control;
  - Setting up a new proposed charitable Arm's Length External Organisation (ALEO);
  - Establishing a new development agreement between the RDT and the Council; and
  - Creating a Joint Venture.
- 2.7 The conclusion of the workshop was that setting up a charitable ALEO could create a foundation that would enable the key parties to address maintenance and future management issues while enabling RDT's fundraising to progress, ensuring delivery of the project and securing a long-term sustainable legacy for the gardens. This option was also considered to provide assurance that future maintenance could be funded by ring fencing income within the Gardens.
- 2.8 At the request of Culture and Communities Committee a public consultation was developed to gauge public support for elements of the development and the

proposals for future management arrangements. The public consultation ran from 26 June 2018 to 14 September 2018.

### 3. Main report

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- 3.1 The public consultation exercise comprised an online survey and three drop-in events over the duration of the consultation. People were asked to share their views of the project on the following issues:
- What role should West Princes Street Gardens have in the City?
  - Do you feel that the current infrastructure (access, paths, and facilities) in the gardens requires investment to meet needs for the City?
  - Do you agree or disagree with the project's vision for West Princes Street Gardens?
  - What elements within the project are the most important to you?
    - New Pavilion.
    - Improved accessibility.
    - Changes to the landscaping.
    - Upgrade of the Red Blaes.
    - Proposed Garden Gateway building.
    - Café.
  - How many major activities would you support?
  - Do you agree or disagree with the proposal that Council should form an Arm's Length External Organisation (ALEO) to enable it to attract external sources of funding to enhance the infrastructure and protect the legacy of West Princes Street Gardens?
- 3.2 In total, more than 1,200 responses were received to the public consultation. While the full results will be published on the Council's Consultation Hub, a copy of the survey and a summary of the results are included in appendix 1.
- 3.3 The principal themes from the feedback are:
- There is positive public support for the project's vision;
  - The replacement Pavilion is the most popular element of the project;
  - Further assurance is needed to address concerns that the gardens will lose their tranquil nature due to size of development;
  - Development work should not commence until all funding is in place;
  - More information should be shared publicly as the design develops; and
  - There is a lack of public support to proceed with the proposed ALEO.
- 3.4 The approach being taken for the project aligns clearly with themes above.
- 3.5 However, in response to the significant lack of public support for the proposed ALEO, officers considered that it would not be appropriate to recommend

progressing with the creation of an ALEO to manage the future development and operations. On that basis, officers and RDT have been discussing alternative arrangements to take forward the proposed improvements and the redevelopment of the Ross Bandstand while still achieving the necessary conditions for investment.

- 3.6 The outcome of these discussions has led officers to recommend that a revised DA be developed to take forward the project and provide clarity on the future management and maintenance of WPSG and the Ross Bandstand.

### **Next Steps**

- 3.7 As reported to Culture and Communities Committee in March 2018 and in response to the public consultation feedback there is a requirement for the DA to be supplemented to protect the legacy of the investment and to enable the continuation of the project.

- 3.8 The proposed new arrangements set out within a revised DA would include:

- 3.8.1 The Council agreeing to be a funder of last resort for the project with an in-principle contribution of 20% of total project capital costs, capped at a maximum of £5m, should the project fail to secure the full amount of capital funding required. This proposal is subject to consideration and approval through the Council's Capital Investment Programme process. If Capital Investment is approved, it will only be made available if RDT can demonstrate to the reasonable satisfaction of the Council that the remaining 80% funding has been committed.
- 3.8.2 The Council will maintain the new infrastructure within WPSG to a mutually agreed, acceptable standard of maintenance. It will only be possible to estimate the likely maintenance costs once the final design has been agreed. An annual report will be prepared on the operation and maintenance of the infrastructure once the development is complete.
- 3.8.3 The Council will honour all gift agreements with donors beyond the completion of development works.
- 3.8.4 The Parks Manifesto commitment on the number and scale of events in the gardens will be honoured. This will be detailed in the revised DA;
- 3.8.5 The Council will develop an operational delivery plan for the new Pavilion with the Cultural Venues team taking responsibility for programming.
- 3.8.6 The Council will develop a robust business plan for the Pavilion and wider area in partnership with RDT and in collaboration with the design team. The plan will be developed in parallel with the design development and fundraising activities.

- 3.9 The roles and responsibilities of the Council and RDT will be clearly defined within the revised DA and will include a clear process for decision making on each element.

### Fundraising and Milestones

- 3.10 RDT have appointed a Director of Development, with responsibility for public engagement and fundraising. A new team is being established to take forward the four-year campaign delivery and fundraising strategy which has been developed. The timeline of key events and milestones will need to align with the confirmed project delivery timescale.
- 3.11 This team will be responsible for developing a framework for gift recognition and corporate sponsorship opportunities. The final framework will be agreed with the Council in advance of implementation.
- 3.12 The framework will also include an overall approach for significant gifts and sponsorship agreements, but it is anticipated that these will be considered on case by case basis. This will include undertaking the necessary due diligence to ensure that the support does not jeopardise the objectives of the project or impact on the reputation of the project and/or the Council.
- 3.13 Once the fundraising plan is agreed, clear milestones will be set by the Council and regular monitoring undertaken to ensure that these are being met.

### Resourcing and Governance

- 3.14 The Culture service will lead the Council's involvement in this project and will be responsible for liaison with RDT. Officers will have day to day oversight of the project and will work on the Business Plan, contribute to the design development process and will provide support to RDT. An internal working group comprising colleagues from finance, planning, legal and communications will also support the project. The project is also included in the Council's change programme and is monitored on a monthly basis.
- 3.15 A comprehensive communications plan will be developed, with agreed key messages and a protocol for communications established.
- 3.16 If Committee approve the approach outlined in this report, the DA will be revised to incorporate the changes outlined in paragraph 3.8.
- 3.17 Officers will continue to work with RDT and WHY to refine the design, develop the Business Plan and support the fundraising campaign.

### Timescales

- 3.18 Committee is asked to note that there will be no development work undertaken until all of the finances required have been secured.
- 3.19 Assuming Committee approval is granted:
  - 3.19.1 It anticipated that fundraising and the design development process will commence immediately;
  - 3.19.2 A bid for Capital Investment funding will be progressed as part of the Council's budget setting process; and

3.19.3 Progress updates on the project will be included in the Business Bulletins for both Culture and Communities and Transport and Environment Committee on a six monthly basis.

#### **4. Measures of success**

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- 4.1 The completion of the refurbishment and development of WPSG in general, and the redevelopment of the Ross Pavilion and the construction of the associated Gateway Building in particular, is to the benefit of residents, visitors, event organisers and Festivals, and Edinburgh's reputation

#### **5. Financial impact**

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- 5.1 The Council has not made any financial commitment to the infrastructure development or to the redevelopment of the Ross Bandstand. However, it is proposed that a bid is considered through the Council's Capital Investment process, to secure a maximum of £5m for this project. This funding would only be used in the event that RDT secured 80% of the project costs from external sources. Committee is asked to approve, in principle, the project team submitting this bid.
- 5.2 Council officers will continue to support the project on an on-going basis and any operational costs incurred through the design development phase will be met from within existing budgets.
- 5.3 When the design is complete, the business plan will be updated to reflect the anticipated costs for maintenance. These will be reported to Committee at the appropriate time.

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

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- 6.1 There is, with any project of this nature, a risk to the reputation of the Council. A full risk register is in place and is reviewed regularly. Where appropriate, issues and mitigating actions will be referred to the Council's Leadership Team and to Committee if appropriate.
- 6.2 Activities will be undertaken in accordance with the Council, SCIO and Office of the Scottish Charity Regulator (OSCR) policies and procedures.

#### **7. Equalities impact**

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- 7.1 A full Equalities Impact Assessment will be undertaken if the plans for WPSG and the new Ross Pavilion are approved.
- 7.2 It is anticipated that a positive impact will be achieved through the development of this project.

## 8. Sustainability impact

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- 8.1 There are no sustainability impacts arising from the proposals outlined in this report.

## 9. Consultation and engagement

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- 9.1 Council officers continue to work closely with RDT and wHY.
- 9.2 Public consultation ran between 26 June and the 14 September 2018.
- 9.3 Further public notification and consultation will be required in order to progress any amendment to the 1991 Act and the Court process under the Land Reform (Scotland) Act 2016. The requirement for this will be determined when the final plans are developed.
- 9.4 Any planning application coming forward will include consultation with the community prior to the submission of the application. There would also be a further opportunity for the public to comment during the formal planning application process.
- 9.5 It may be appropriate to undertake further public consultation as the project progresses. This will be considered as part of the on-going communications strategy and updates will be provided to Committee as appropriate.

## 10. Background reading/external references

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- 10.1 West Princes Street Gardens and the Ross Bandstand: an opportunity for renewal Corporate Policy and Strategy Committee [12 April 2016](#).
- 10.2 West Princes Street Gardens and Ross Bandstand Update City of Edinburgh Council [30 June 2016](#).

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## 11. Appendices

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Appendix 1 – Consultation Results



# West Princes Street Gardens Project

## Overview

West Princes Street Gardens is one of the most cherished public green spaces in Scotland, loved by locals and visitors alike. However, over the past few decades due to increasing budget pressures the money available to invest in the facilities has decreased and as a result the Garden's infrastructure has suffered.

West Princes Street Gardens is one of the most beautiful and celebrated city-centre green spaces, offering a backdrop unparalleled anywhere in the world. The careful design of new infrastructure, set within a new holistic vision for the garden, will not only enhance the aspects of the Gardens that people have come to love but offer improvements which will enhance the experience of everyone who wishes to use them.

## Introduction

The purpose of this consultation is to provide an overview of a joint initiative by The City of Edinburgh Council and The Ross Development Trust to enhance the West Princes Street Gardens (WPSG).

The consultation aims to:

- Gauge support of proposals
- Explain who is involved and why
- Summarise the work done to date and the work that is planned.
- Outline how much it will cost
- Set out plans for continued engagement



What is your name?

Name

What is your email address?

If you enter your email address then you will automatically receive an acknowledgement email when you submit your response.

Email

What is your organisation? (If applicable)

Organisation

## Background

West Princes Street Gardens is one of the most cherished public green spaces in Scotland, loved by locals and visitors alike. However, over the past few decades due to increasing budget pressures the money available to invest in the facilities has decreased and as a result the Garden's infrastructure has suffered.

There is now a requirement to replace the current Ross Theatre, refurbishment of the Ross Fountain and other elements of the Gardens would benefit from investment, including better pedestrian and vehicular access, landscaping, signage, and visitor facilities.

This project is being led through a partnership between The City of Edinburgh Council (CEC) and The Ross Development Trust (RDT). RDT was founded as a 'Scottish Charitable Incorporated Organisation' (SCIO) in September 2016.

RDT was set up with the purpose of:

- Selecting, funding, and building a new performance facility to replace the Ross Theatre.
- Advancing with agreement of the Council a series of garden wide improvements, with the intention of making West Princes Street Gardens more accessible and offering enhanced experiences for people in the Gardens.
- Implementing a number of projects including the restoration of the Ross Fountain and Gardener's Cottage

CEC and RDT have been working together to deliver improvements within West Princes Street Gardens through a Development Agreement approved by the Council in June 2016. This outlines that RDT have permission to fundraise and develop the planned improvements, in line with all statutory and council permissions required.

## Original Bandstand in 1877



What role should West Princes Street Gardens have in the City? (Please tick all that apply)

Please select all that apply

- Offer areas of tranquillity
  Improved accessibility
  Recognised cultural venue
  A place for enjoyment and relaxation
  Offer enhanced experiences for residents and visitors alike
  Provide a diversity of cultural activities

Do you feel that the current infrastructure (access, paths, and facilities) in the gardens requires investment to meet needs for the City?

Please select only one item

Strongly agree  agree  neither agree or disagree  disagree  strongly disagree

## The Gardens

Princes Street Gardens is Edinburgh's central garden and most famous open space. Located in the very centre of the city between the Old Town and New Town it is integral to the character of the city. The setting of the Gardens in the valley between these two contrasting historic areas of Edinburgh, with the Castle on its rock towering above the western end, create urban scenery which is without parallel within the UK.

The Gardens were formed at the insistence of residents of Princes Street who leased land that had been the Nor'Loch from the Council. The gardens were opened in 1821 to those residents willing to pay the annual fee of four guineas. Between 1845 and 1847, the Edinburgh-Glasgow Railway Company took its line through the bottom of the gardens which affected the layout and in 1872 the owners added the spectacular Ross Fountain by A Durenne of Paris. By the 1870s, there were still about 400 private individuals who subscribed to use the garden. In 1876 as a result of public pressure the Council adopted the gardens as a public garden for all residents and visitors to the city.

This site has long been a draw for national celebrations in the capital, in both summer and winter. Home to iconic events such as the fireworks finale of the Edinburgh International Festival, they also welcome in the new year with the Hogmanay celebrations which are annual attractions. These are balanced by smaller cultural activities such as Scottish country dancing, pipe bands and art, history and science exhibitions which take place throughout the year.

## Floral Clock



A memorable feature of the gardens is the floral clock which was installed in 1903 and was the first in Britain. Its popularity and success led to the widespread adoption of floral clocks as a prominent fashion in civic bedding displays during the early twentieth century

## Work done to date

Princes Street Gardens is a beautiful public garden and green space in the heart of the City. The Gardens sit as a centrepiece of the World Heritage Site that embraces both the Old and New Towns of Edinburgh and offer quality public gardens in an iconic internationally renowned setting.

Recognition that West Princes Street Gardens is a green space in the heart of the City and is at the forefront of all the work done to date and the planned improvements, through careful and sensitive design, will enhance the gardens without jeopardising the special and unique qualities of the space. Some of the key aspects of the project are listed below.

- **Investing in the Ross Fountain**

One aspect of the Gardens that required immediate improvement was the 146-year-old Ross Fountain. Having been exposed to almost a century and a half of Edinburgh's temperamental climate the Fountain was in a state of disrepair. A full restoration became our number one priority and this mini-project is a wonderful example of the benefit this partnership can make within the Gardens.



- **The Gardener's Cottage**

The Gardener's Cottage which sits just below the Floral Clock entrance, on the mound, was used for generations to house the Gardener responsible for maintaining the Gardens. The Trust has transformed the interior of the cottage to a modern office space upstairs, with a Victorian themed dining room and parlour downstairs, to match the authenticity of the building.



The Trust and Council are seeking to continue this programme with the investment in the replacement of the Ross Theatre along with investment within the Blaes Area; Play Facilities and the Garden's Gateway (visitors Centre)

### Did you know?

The Gardeners Cottage features on CBeebies **Teacup Travels** <<https://www.filmedinburgh.org/Filmed-Here/Teacup-Travels>> as Aunt Lizzie's House

## Vision

West Princes Street Gardens is one of the City's signature assets. It's setting and design forms a beautiful green space and a city-centre park of civic, cultural, horticultural and community value.

*Our vision is to celebrate the unique and special qualities of the West Gardens and to invest in its facilities to ensure they remain a beautiful and accessible asset of the City, to enhance the user's experience, and to ensure the gardens continue provide a cherished space for both residents and visitors.*

- The Ross Development Trust and City of Edinburgh Council joint project represents an opportunity to evolve Edinburgh's reputation as a world class city of heritage and culture, blending history and tradition with contemporary energies.
- The project will be advanced within a proposed Arm's Length External Organisation (ALEO) operating as a Charitable Trust with ownership of the gardens retained by City of Edinburgh Council
- The new investment will include the Ross Pavilion, Gardens Gateway and upgrading key infrastructure in the park in celebration of its status as one of Edinburgh's premier parks and greenspaces.

The design proposals, now being developed will be progressed through active local consultation and engagement to:

- Improve pedestrian accessibility and reduce need for vehicular access
- Improved infrastructure to the red blaes area to allow a more adaptable usage (e.g Farmers markets/community events)
- A replacement Pavilion that creates a flexible contemporary venue, replacing an outdated concrete facility, the new venue will return much of the space to a garden landscape - terraces, accessible routes in and out and a flexible amphitheatre that will create places for communities to come together in a city with a worldwide reputation for heritage and culture.
- The addition of the visitor's centre and café (garden gateway) with indoor and outdoor seating; that becomes a secondary flexible space and supports a range of uses including small-scale performances, community meetings, activities, and workshops.

Do you agree or disagree with the project's vision for West Princes Street Gardens?

*Please select only one item*

- Strongly agree    Agree    Disagree    Strongly disagree    Don't Know

## Building on the Design Competition

The design brief of the International Competition was a joint document prepared by the Trust in conjunction with the Council and was launched on 9 February 2017. The focus of the competition was to select an innovative design for a replacement of the Ross Theatre but that also looked at the Gardens in their entirety, creating a new holistic vision for the space.

The International Design Competition attracted:

- Applicants from around the world
- Submissions from 125 architectural practices
- Allowed 7 applicants to be shortlisted based on their design experience and appreciation of the brief
- Enabled Design Concepts to be developed for public exhibition

Following the exhibition in the City Arts Centre each submission was assessed by a technical panel of experts in fields such as; planning, urban design, cost consultancy, health and safety, events, engineering, etc. to assess the merits and compliance with the brief of each design concept.

A professional Advisory Panel was established to interview and select the preferred Design Team and Design Concept.

The winning submission was that of American based firm wHY, in collaboration with local architects GRAS. Their submission best responded to the brief, the sensitivity of the site and the needs of the gardens but was also the most popular design amongst the people of Edinburgh.

The collective view was that the wHY design best:

- Recognised the historical context and backdrop of the Castle and the City
- Supported an increase in the green space within the Gardens
- Addressed the requirement to Improve accessibility
- Looked to reduce the Impact of events and vehicle movement within the gardens



What elements within the project are the most important to you. (1 being most important and 6 least important)

	1	2	3	4	5	6
<b>New Pavilion</b> <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Garden Gateway (Visitors Centre)</b> <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Upgrade to red blaes</b> <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Improved Accessibility</b> <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Change to landscape design</b> <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Cafe</b> <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

## Ownership

**The Gardens are a public asset under the ownership of the City of Edinburgh Council and this will not change. Access to the gardens and public use of the gardens will be protected.**

The Council and the Trust recognise the limitations of funding within current budgets with this proposed solution to allow new investment which otherwise would not be available.

## The 1991 Act

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".

The Council will need to put a private bill before the Scottish Parliament seeking approval to make the appropriate amendments to the 1991 Act to progress the proposed changes in infrastructure to West Princes Street Gardens

The Council is unable to set out the timelines for this work at present due to the requirement of a final design



## Activities and Design

This new venue, will offer enhanced cultural and community opportunities for the people of Edinburgh. The concept design for the project aims to create three main activity spaces.

- The Ross Pavilion
- Garden Gateway including a café
- Upgraded recreation area formerly known as the red blaes area

Each area will provide flexible facilities, supporting a diverse range and scale of activities and events.

The facilities are 'hubs' for orientation and interpretation with event/activity focussed on cultural, heritage, education and community uses.

An issue with the existing Ross Bandstand, apart from being outdated, is that many production services need be brought in for every event. For the most part this consists of large vehicles, the movements of which have an adverse impact on the gardens. This can also limit access at certain times plus unsightly units and cabins are required on site during an event.

Currently there is in the region of 30 events (including Hogamany, Festival Fireworks etc) held both within the current Ross Bandstand and the wider area within Princes Street Gardens. This includes events held on the red blaes area. There is also a cafe situated beside the Ross Fountain that operates throughout the year.

The venue will be better able to accommodate the larger performances that Edinburgh is synonymous with, such as the fireworks finale of the Edinburgh International Festival and Hogmanay. Currently these events cause weeks of disruption within the Gardens due to the volume of infrastructure required to be brought in to facilitate them. At present there is no intention to increase or reduce the number of these larger events, however, improving the access to the gardens and through the clever design of the new Pavilion, the disruption to the gardens for these events will be reduced.

It is estimated that between 150 and 200 smaller events and activities in the gardens for 200 or less people would take place and these would be housed within the Ross Pavilion or the Garden Gateway, to prevent impact on the rest of the gardens and ensure they remain open to the public while these smaller events are taking place. These non impact events are currently not possible given the existing infrastructure.

This programme will form a large part of the income generation plan for the venue, which will ensure the new facilities are self-sufficient and allow for ongoing investment in West Princes Street Gardens.

### Did you know?

More than 400,000 fireworks were launched during the 2017 International Festival Finale and it took 15 Pyrotechnicians 7 days to set up.

### How many major activities would you support?

*Please select only one item*

- 5 or less major activities (inc Hogmanay/fireworks)  5 or more major activities

### Anything else you would like to add in regards to change to activity usage?

## Investment and Defining a Governance Structure

Once the architectural competition was successfully completed in August 2017, RDT then began to fundraise for the construction cost (estimated £25m). As part of preliminary scoping work carried out by RDT it was clear that there was support for the project and potential donors were approached to make financial contributions towards the project.

In order to increase the chances of successful fundraising for the project, clarity was required on key issues such as ongoing maintenance and future management/operation once the project is completed.

To address this Council and the Trust held a series of workshops to discuss options for a new governance model for West Princes Street Gardens. There is a requirement for the model to be self-sufficient to ensure the regenerated infrastructure to be maintained without further strain to the public purse.

There were two key considerations when assessing potential models.

1. Is it suitable for a publicly owned, green space?
2. Does it give donors the necessary confidence that their financial contribution will be looked after long term?

## Options discussed

6 options were discussed.

1. Existing Status Quo (Current Development Agreement)
2. Council Full control (No change to Governance structure)
3. Council/The Trust (Elemental Basis - amended development agreement)
4. Charitable ALEO (Joint charity responsible for managing the gardens)
5. Joint Venture (Joint JV created to manage the Gardens)
6. The Trust full control (responsible for the management of the Gardens)

## Arms Length External Organisation (ALEO)

West Princes Street Gardens would remain as a public park and greenspace asset, owned by the Edinburgh City Council with guaranteed public access for all and retaining the parks and grounds management expertise.

The City of Edinburgh Council and The Ross Development Trust would jointly manage the facilities within the structure of the ALEO (Arm's Length External Organisation) as a proposed charitable trust operating in a stewardship role and managing the facilities in accordance with the new West Princes Street Gardens Trust Charter, that would define the rules and authority of the ALEO and its legal responsibility.

The proposed charitable status and remit of the ALEO would have up to nine trustees comprising of:

- equal representation from City of Edinburgh Council, Ross Development Trust and representative organisations with appropriate expertise. Please note such appointees act solely in the interests of the organisation to which they are appointed (i.e. the ALEO)
- It is proposed the ALEO would be a Scottish Charitable Incorporated Organisation (SCIO) with full transparency and subject to measurable performance targets, external audit and the Scottish Charity Regulator.
- The ALEO would be a corporate body with a defined and regulated remit to manage the gardens and re-invest all surpluses within the gardens.
- The chair of the ALEO should be one of the Independent Trustees
- The Members of the ALEO would ultimately be able to dissolve the ALEO should the performance targets not be achieved or if it cannot continue to serve a useful purpose, or if its property could be more suitably and effectively applied.

Similar governance arrangements exist for other parks and gardens across the UK and have been established to create improved parks, creating new opportunities for investment funding.

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**Audit Scotland May 2018 report on ALEOS** <<http://www.audit-scotland.gov.uk/report/councils-use-of-arms-length-organisations>>

The proposal is that Council forms an Arm's Length External Organisation (ALEO) to enable it to attract external sources of funding to enhance the infrastructure and protect the legacy of West Princes Street Gardens. Do you?

Please select only one item

- Agree  Disagree  Neither agree or disagree  Don't know

Any other comments?

Comments

## What happens next

Once consultation has ended, officers will review all responses received from both online and drop in events, which in turn will feed into a report to Transport and Environment/Culture and Communities Committees, for onward referral to Council for approval.

This report will cover;

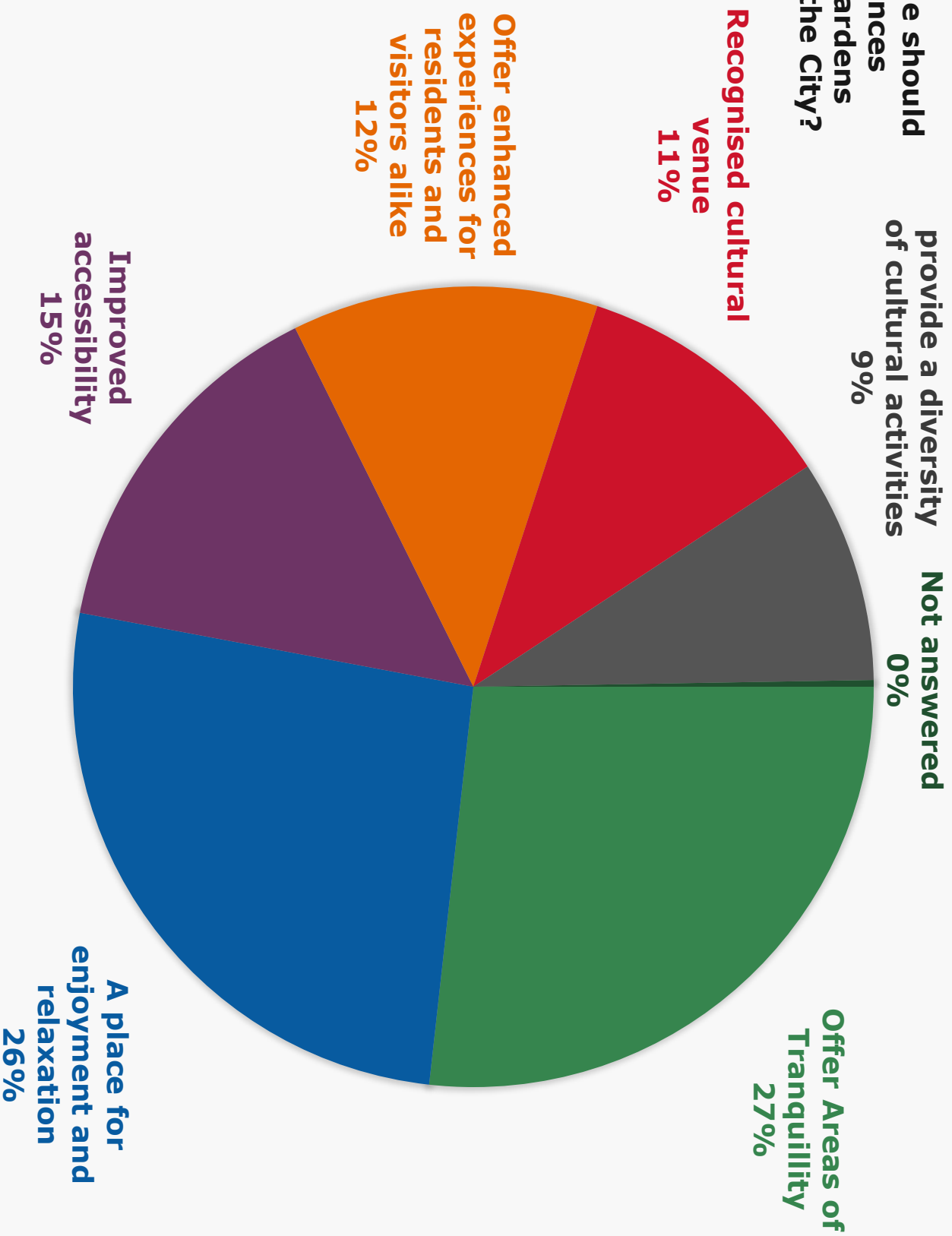
- Full results from the Public Consultation.
- Recommendations for the Trusts Business Case for the project
- Provide clarity around the proposed ALEO and how the governance would be managed to meet its objectives.

There will be further opportunities to feed into future consultation through the duration of the project and details will be published once dates are confirmed.

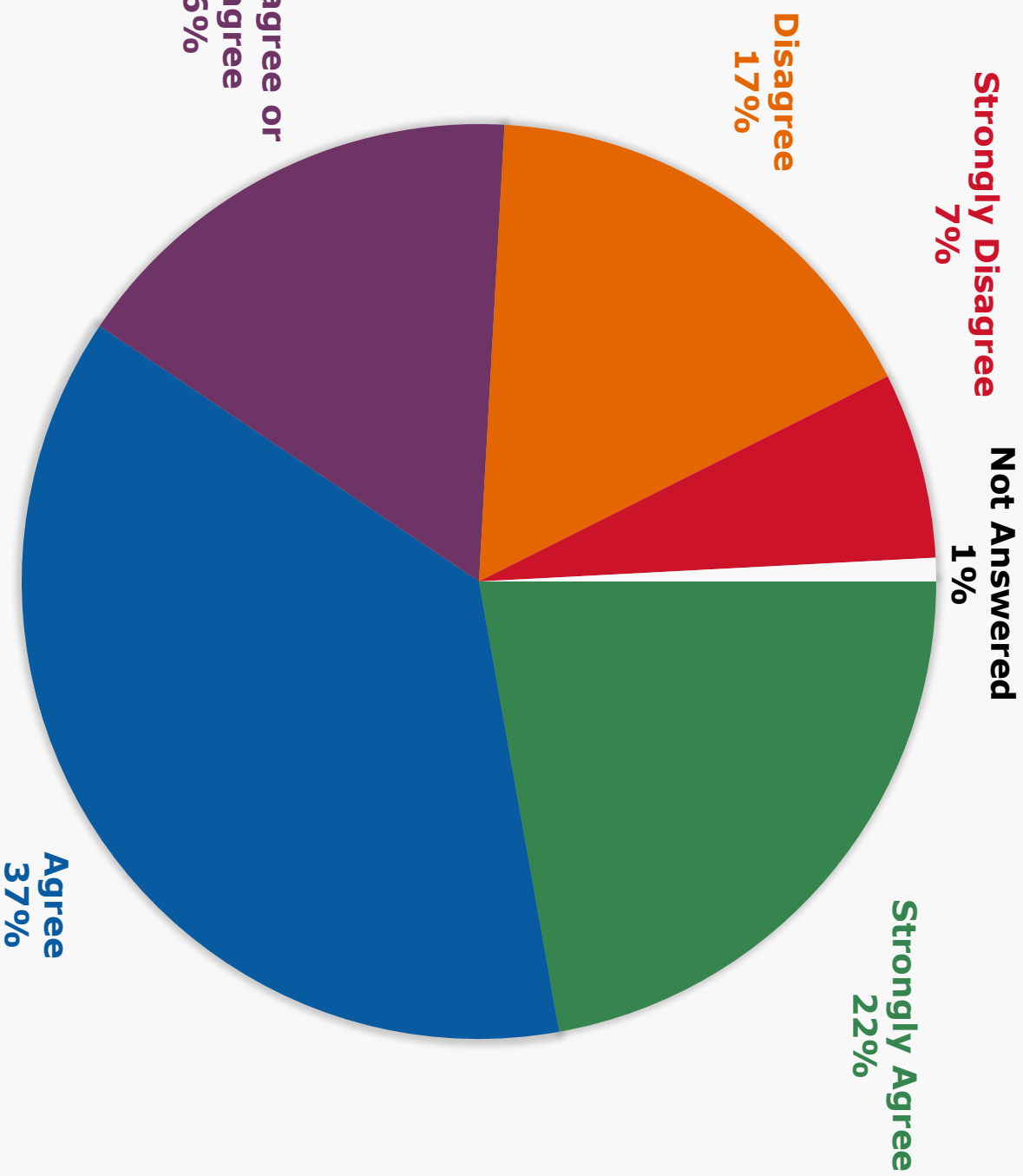
# West Princes Street Gardens Project

## Consultation Results

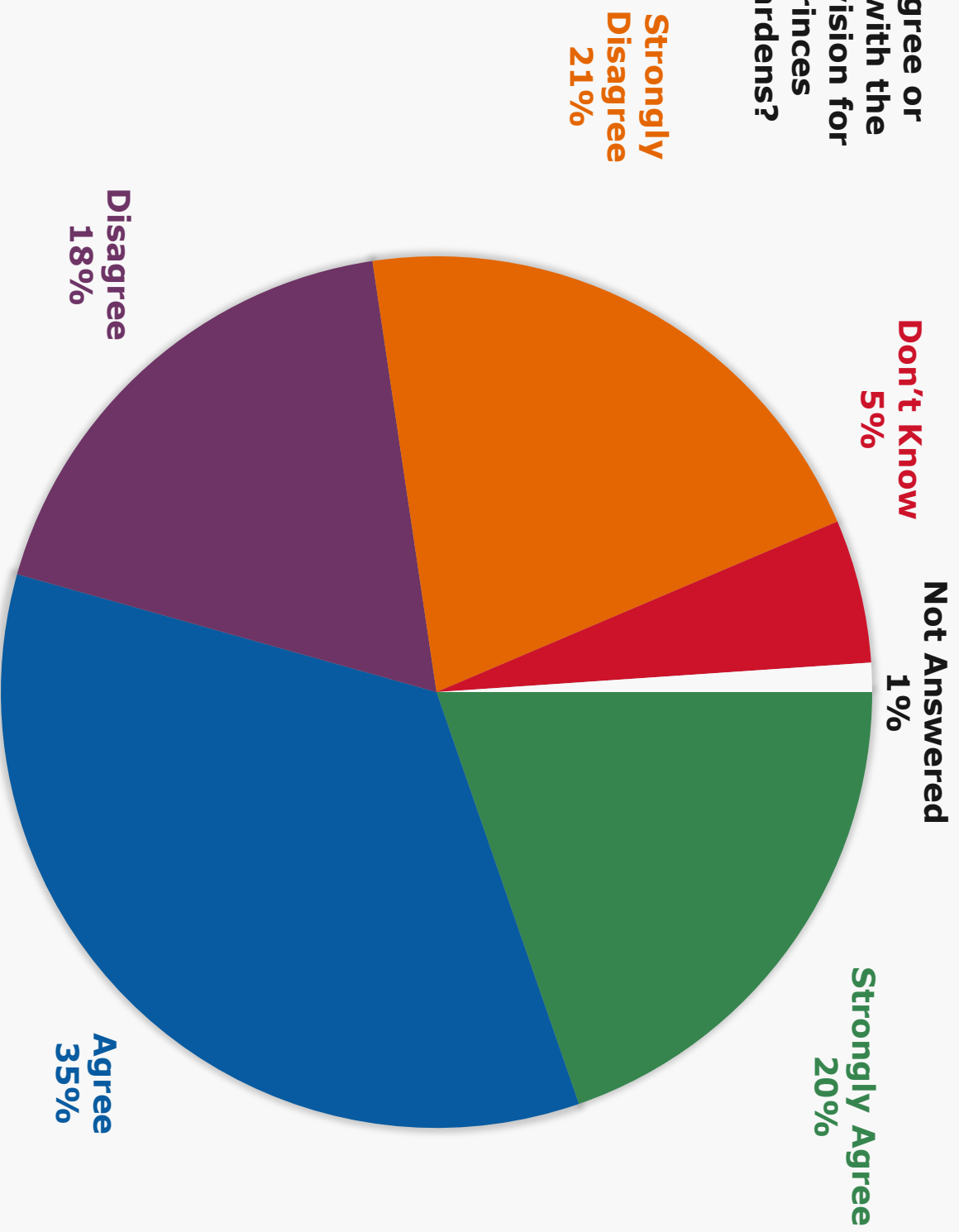
**What role should West Princes Street Gardens have in the City?**



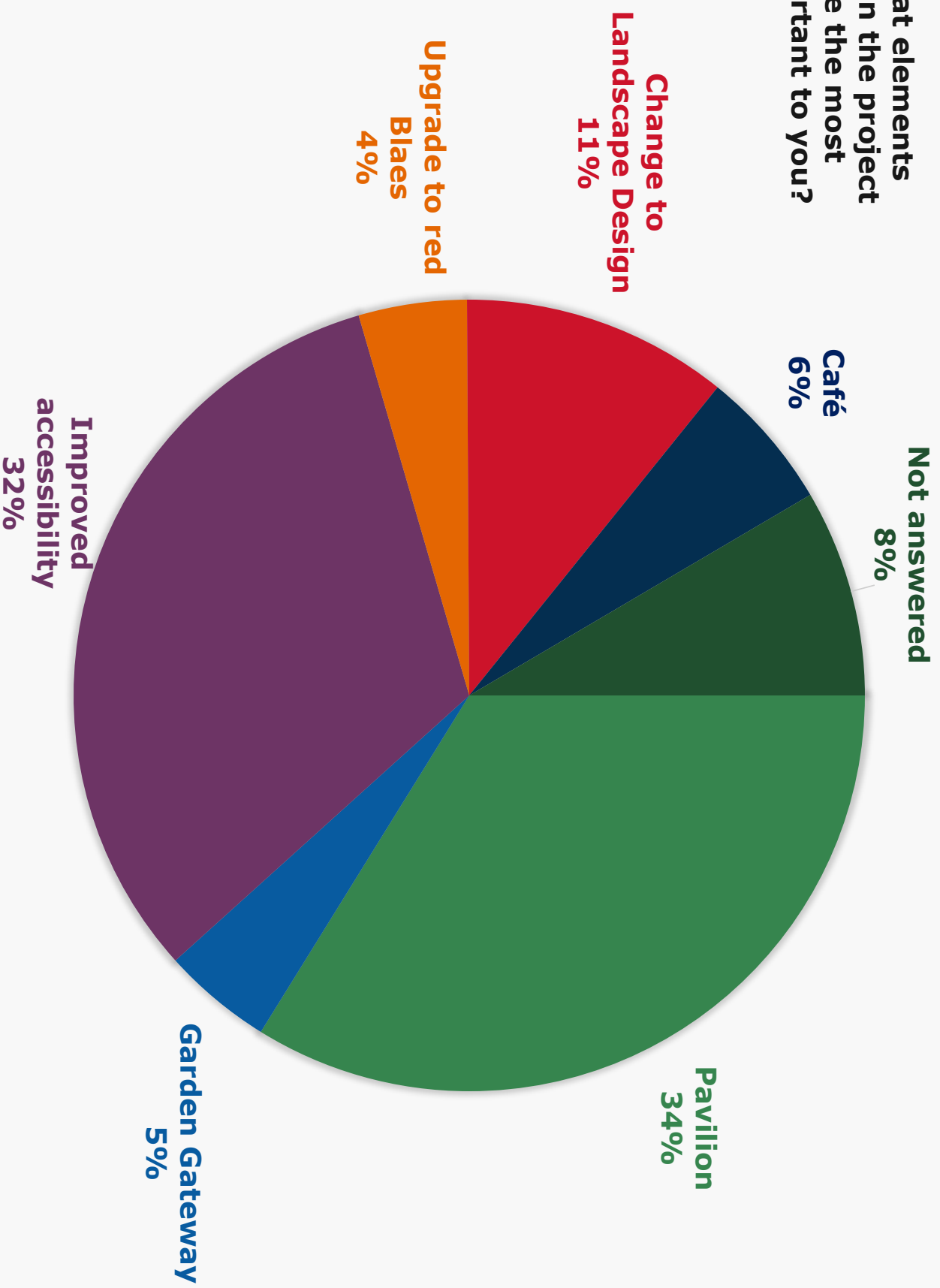
**Do you feel that the current infrastructure (access, paths, and facilities) in the gardens requires investment to meet needs for the City?**



**Do you agree or disagree with the project's vision for West Princes Street Gardens?**

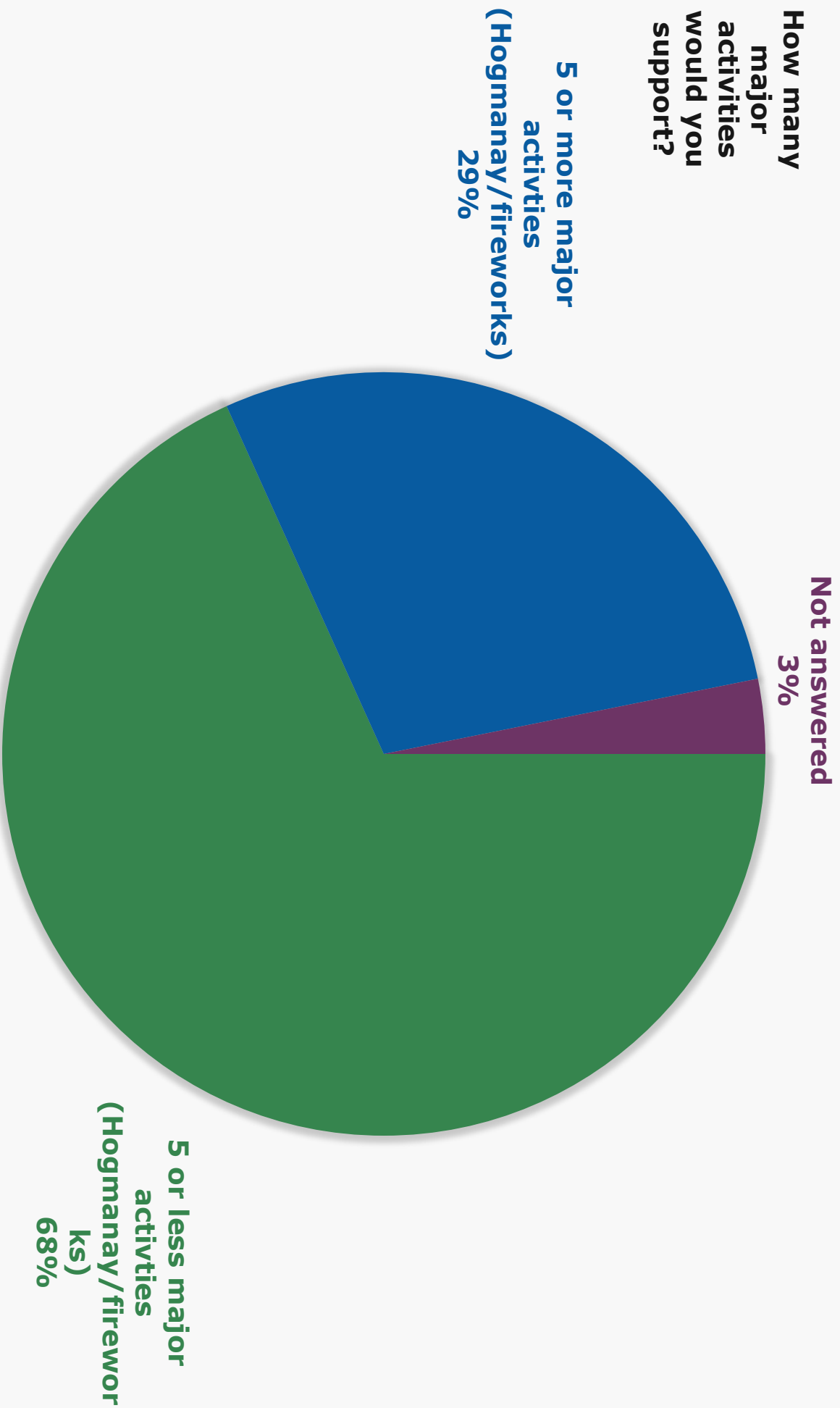


**What elements within the project are the most important to you?**





**How many major activities would you support?**



**Do you agree or disagree with the proposal that Council should form an Arm's Length External Organisation (ALEO) to enable it to attract external sources of funding to enhance the infrastructure and protect the legacy of West Princes Street Gardens?**

