



Chapter 13

Planning, Queensberry House & the Role of Historic Scotland

The Building, its Symbolism and Condition

- 13.1 Queensberry House was in a state of disrepair, with very little left of the interiors, when the Scottish Office purchased it from Scottish and Newcastle in early 1998. Dating from before 1640, it was originally an aristocratic townhouse, designed by James Smith, but had changed hands many times since then, had been used for many purposes and had undergone a conversion into army barracks between 1808 and 1810 when a fourth storey was added.
- 13.2 In his report of 24 November 1997 on the origins and development of Queensberry House,⁷¹³ Mr John Hume, then Chief Inspector of Historic Buildings, Historic Scotland, and Consultant to the SPCB, advised that Queensberry House's pre 1808 form could fairly easily be recovered. As Mr Graeme Munro, Chief Executive of Historic Scotland, stated in evidence: "The Secretary of State and the Architect were attracted to the idea of returning Queensberry House as closely as possible to its original form."⁷¹⁴ However, Donald Dewar's overriding concern was that the building should be a working part of the parliamentary

⁷¹³ MS/7/015-022 - Paper by John Hume: Queensberry House 'Its origin and development', 24 November 1997

⁷¹⁴ Evidence of Mr Graeme Munro on 13 November 2003, Para 329

complex. Mr Hume recommended that any restoration scheme should be preceded by a detailed examination of the fabric of the house.

The NOPD Procedure and the Role of the City of Edinburgh Council

- 13.3 Civil servants advised Donald Dewar on 18 September 1997,⁷¹⁵ that even though the Scottish Parliament Building was Crown property and therefore exempt from the requirement for planning permission, it would be good practice to follow the procedures contained within Scottish Development Department Circular 21/1984⁷¹⁶ “Crown Land and Crown Development”. This required Crown “developers” to submit Notices of Proposed Development (NOPD) and Applications for Planning Permission and/or Listed Building Clearance to the Planning Authority. It also detailed the informal advisory role of Historic Scotland in connection with proposals affecting a listed building. As the process was akin to normal planning procedures advice was given to begin discussions with City of Edinburgh Council as soon as possible, so that the tight timetable could be adhered to.
- 13.4 The NOPD application was complex, due to the location of Holyrood in a Conservation Area within the UNESCO designated Edinburgh World Heritage Site, the proposal to demolish and restore an existing Category A listed building, and the scarcity of drawn material. Only the architect’s drawings were available at the time of application. The Council agreed (unusually) that an Outline NOPD application could be submitted initially, to be followed by a Reserved Matters application containing the required detail.
- 13.5 The Outline NOPD application was submitted to the Council on 21 April 1998 and agreed by the Planning Committee on 22 July 1998, subject to detailed matters being addressed. Approval did not include Listed Building Consent, which could not be granted as part of an outline application and was therefore postponed until the Reserved Matters application was considered. Historic Scotland’s *Memorandum of Guidance on Listed Buildings and Conservation Areas 1998* specified a period of four months for processing major applications. This case was processed in three months. The need for speed with the application was made plain by Scottish Office officials. As a result the Council did not insist upon an Environmental Impact Assessment being submitted.
- 13.6 The Reserved Matters Application was duly submitted to the Council on 21 April 1999. Unfortunately it was deficient, due to the lack of an accompanying Traffic Impact Assessment. It was re-submitted twice and was registered on 26 May 1999, so that validation and processing could begin. Details of what was required to be submitted for the

⁷¹⁵ SE/2/227–231 – Minute from Mr Affolter to PS/Secretary of State and PS/Henry McLeish, 18 September 1997

⁷¹⁶ Annex A - Closing Submission of Ms Laura Dunlop QC, 26 May 2004

application to be adequately assessed had been provided by Council planning officials to the Project Team previously on 25 February 1999.⁷¹⁷ The application was ultimately approved by the Planning Committee on 15 September 1999 subject to yet further details being provided on reserved matters. Additional Reserved Matters were imposed, as the Council still required significant detailed design information and developed proposals for Queensberry House before Listed Building Consent could be granted, as well as landscaping details. It was agreed that indicative landscaping proposals were acceptable and that a separate landscaping NOPD application could be submitted at a later date.

- 13.7 On 5 May 2000 the Design Team lodged an application for an Amendment to the Approved NOPD as a consequence of the Parliament's requirement for an additional 2,275m² of space. It was agreed by the Council on 16 June 2000 subject to concerns being addressed, particularly those relating to Queensberry House. The Council found the proposal to reduce the height of the Belvedere Tower and to remove the majority of the existing floors unacceptable and requested further information following ongoing archaeological investigations. The application was finally agreed by the Planning Committee on 6 September 2000.
- 13.8 On 1 November 2000⁷¹⁸ the Planning Committee agreed to remit consideration of the Queensberry House details to the Head of Planning, prompted by Mr Richard Emerson, Chief Inspector of Historic Buildings, Historic Scotland. This amendment to Condition 4 of the NOPD application, rather than reserve considerations to the members, helped to accelerate the delivery of the necessary approvals by the Council.
- 13.9 In written evidence to the Inquiry Mr Ian Spence, Head of Building Quality, City of Edinburgh Council Planning Department, stated that:
- '... all NOPD Applications, with the exception of Landscape Application 00/01992/REM, were dealt with within their 4-month periods despite the complexities involved. That landscape application was time extended by agreement with the architects to allow modification and design development and did not affect the Project programme.'⁷¹⁹
- 13.10 It can be seen from the evidence that the planning process continued from 23 April 1998 until 22 August 2001.⁷²⁰ At the time of handover to the SPCB there were outstanding reserved matters in relation to Queensberry House. As Mr Spence recorded in written

⁷¹⁷ WS/44/016-018 - Letter from Ms Gina Bellhouse to Mrs Barbara Doig, 25 February 1999

⁷¹⁸ EC/1/189-196 - Report to City Council Development Quality Sub-Committee, 1 November 2000

⁷¹⁹ WS/44/035-042 – Mr Ian Spence's Witness Statement, 23 March 2004

⁷²⁰ WS/44/042 *ibid*

evidence to me “Queensberry House assumed extraordinary prominence within the overall proceedings of the NOPD”. This has proved to be the case, however, due to the on-going archaeological investigations throughout the building process and the necessary public consultation, which is part of the NOPD process. It would have been highly irregular if full planning permission had been given at an earlier date. In my view the Council acted expeditiously in carrying out its functions and even though there was frustration on the part of the client with the time required to comply with the NOPD process, it did not have a negative impact on either programme or cost.

The Role of Historic Scotland

13.11 SDD Circular 21/1984 “Crown Land and Crown Development - Buildings of Special Architectural or Historical Interest” details Historic Scotland's role as:

‘The Department’s Inspectorate of Historic Buildings will be pleased to advise informally on what constitutes or affects character and on any other matters in connection with proposals affecting a listed building.’⁷²¹

13.12 Historic Scotland also has the role of mediator in any conflict between the applicant and the planning authority in matters relating to listed buildings.

The Simpson & Brown Report

13.13 As part of the information gathering process on the Holyrood site to assist Donald Dewar in making a decision, it was decided to commission a full condition survey and cost plan of Queensberry House. Mr Brown, Director of Administrative Services, wrote to Simpson & Brown on 17 December 1997⁷²² inviting them to bid for this piece of work, which was to be completed by 31 December 1997.

13.14 Mr James Simpson, Partner, Simpson & Brown, replied on 19 December 1997,⁷²³ setting out the work they proposed to undertake within what would be six working days. The timescale did not enable them to undertake a full condition survey and they proposed “a systematic visual inspection of the fabric of the building” and “a quick structural appraisal to identify any obvious structural defects”. These terms were agreed and work began on Monday 22 December 1997.

13.15 A first draft report was submitted to the Scottish Office on 31 December 1997 and a final report on 5 January 1998.⁷²⁴ The report concluded that: ‘The house was in fundamentally

⁷²¹ SDD Circular 21/1984, Part IV, Item 26

⁷²² MS/7/023–025 - Letter from Mr Alistair Brown to Simpson & Brown, 17 December 1997

⁷²³ MS/7/026–029 - Letter from Mr James Simpson to Mr Alistair Brown, 19 December 1997

⁷²⁴ MS/7/030–074 Simpson & Brown Report: ‘Queensberry House’, 31 December 1997

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sound condition. Only very minor cracking was noted in the masonry and the walls are considered to be essentially sound.’ The total cost of restoration was estimated at £6.9 million (inclusive of VAT and fees). The report stated that these findings were based on visual investigation as it had not been possible to open up the fabric of the house and recommended that ‘further documentary research and physical investigation should be instructed as a matter of urgency.’

- 13.16 The Inquiry has heard evidence from Sir David Steel that the SPCB had relied heavily on the finding that the building was fundamentally sound⁷²⁵ and realised this was not the case when the plaster was later removed once the Project had been handed over to the Parliament. However in a letter to Sir David Steel on 20 December 1999, Mrs Doig wrote:

‘You will wish to note as officials we have never had a problem with the status or content of the Simpson and Brown 1997 Report. It was prepared in a very short time while Queensberry House was still in the ownership of Scottish and Newcastle. The report was based on visual inspection and non-intrusive survey techniques; this is usual in pre-purchase situations.’⁷²⁶

- 13.17 It seems that the over-riding factor in obtaining a survey and outline cost report on Queensberry House in such a short time was to inform Donald Dewar in time for a site selection decision to be taken and announced on 9 January 1998. The findings could only be based on visual inspection and the recommendation for further investigative works should have been instructed once the building became the property of the Scottish Office to unveil the true nature of the structural soundness of the building before a decision on its retention/restoration was taken. From the evidence provided to me, Sir David Steel’s criticism of Simpson & Brown’s finding that the building was “fundamentally sound” is misleading when read in the context of the full report and from subsequent advice provided to him by the Project Sponsor at the end of 1999.

Archaeological Studies

- 13.18 Once the Holyrood site was selected one of the key issues for Historic Scotland was an archaeological investigation of the site and of Queensberry House. Historic Scotland agreed to manage the contract on behalf of the Project Team. The final cost of the archaeological work was projected to be around £850,000.
- 13.19 On 15 October 1998 Historic Scotland instructed Addyman & Kay to undertake ‘a limited programme of opening up, physical investigation and recording over a period of two

⁷²⁵ Evidence of Sir David Steel on 1 April 2004, Para 84

⁷²⁶ CB/5/292-293 - Memo from Mrs Barbara Doig to PS/Presiding Officer, 20 December 1999

weeks'.⁷²⁷ Addyman & Kay reported their findings to the Project Team on 30 November 1998. This report has not been presented to me, but it would appear that it was not the full investigation that had been recommended by both Mr Hume and Mr Simpson in their respective reports, and indeed when EMBT/RMJM Ltd requested specific information on the height of the wallheads in January 1999, Addyman & Kay were unable to provide the necessary information.

13.20 On 13 April 1999,⁷²⁸ Dr Aonghus MacKechnie, Principal Inspector of Historic Monuments, Historic Scotland, met with Mr William Kay, and agreed that Addyman & Kay would undertake a programme of archaeological research. This included the entire removal of the harling of Queensberry House to determine the form and position of the original wallheads.

13.21 Mr Emerson confirmed this proposal in a letter to Mr Kinsley, copied to Mrs Doig, on 19 April 1999.⁷²⁹ However, it is clear that Mrs Doig viewed this as additional work and questioned the funding and extent of the proposed work on 6 May 1999:

'Our understanding from previous discussions with Historic Scotland is that the amount of information which can be revealed by further building archaeology is likely to be limited.'⁷³⁰

13.22 The matter was resolved on 22 July 1999 when the client agreed to fund the archaeology and Mr Mustard confirmed that:

"... an archaeological study was currently underway to examine the walls under the existing plasterwork."⁷³¹

13.23 In its report to MSPs on the Holyrood Project in 2000, the SPCB stated that in the period June 1999 to February 2000 detailed investigations had found that the structure of Queensberry House was not sound and that:

"The essential remedial works doubled to £9.4m and an enhanced contingency of £1.4m was required due to the continuing uncertainty on the building condition."⁷³²

The consequence of this was that more money was spent on making Queensberry House structurally sound than was spent on converting it to usable office accommodation, as confirmed in evidence to me on 10 February 2004 by Mr Grice.⁷³³

⁷²⁷ WS/24/001-012 – Mr James Simpson's Witness Statement, 17 December 2003

⁷²⁸ HS/2/060-061 – Mr Aonghus MacKechnie's Minutes of Meeting of 13 April 1999

⁷²⁹ HS/2/062-063 – Letter from Mr Richard Emerson to Mr John Kinsley, 19 April 1999

⁷³⁰ HS/2/069-070 – Minute from Mrs Barbara Doig to Mr Richard Emerson, 6 May 1999

⁷³¹ HS/2/079-083 – Project Team Note of Meeting of 27 July 1999

⁷³² CB/2/660-709 - SPCB Report on the Holyrood Project – Session 1 (2000) SP Paper 99, Para 12.3

- 13.24 It would appear that the archaeological investigations continued as the Project progressed and informed the design and planning process, as can be seen from Ms Davidson's letter to Mr Grice on 4 April 2001:

“... current design of the wallhead to be altered to take account of new archaeological evidence. Given the point at which the archaeological evidence became available the Group accepts that it would not have been reasonable for the Planning Authority to have anticipated such a development.”⁷³⁴

- 13.25 It can be seen from the evidence that the findings of the archaeological study, such as the Belvedere Tower and the reduced height of the wallhead, prolonged the planning process but did not affect the overall programme or costs. However, the discovery that Queensberry House needed extensive structural work seems to have been the major increase in the costs of Queensberry House.

Re-Categorisation of Queensberry House

- 13.26 Due to the significance of the discoveries during the archaeological investigations undertaken by Addyman & Kay⁷³⁵ and Mr John Lowrey on Queensberry House, Mr Hume, Chief Inspector of Historic Buildings at the time, decided that Queensberry House be upgraded from Category B to Category A listing and he informed Donald Dewar of his decision in an e-mail on 10 November 1998.⁷³⁶

- 13.27 Mr Munro in evidence to the Inquiry confirmed that the re-categorisation did not require Ministerial consent and outlined the mechanism for upgrading:

“We do move to list for the first time, or to enhance the listing, if new information comes to hand. In this particular case, John Hume took the view that the previous listing was an “underlisting”, if you like, in terms of the historical importance of the building. The new information supported that. I believe that, even without that new information, we would probably have upgraded the listing in any case when we came to do the geographical re-survey.”⁷³⁷

- 13.28 Donald Dewar queried the decision to upgrade the listing of Queensberry House at a meeting on 15 March 2000 and was informed by Mr Emerson that:

⁷³³ Evidence of Mr Paul Grice on 4 April 2004, Para 4

⁷³⁴ CB/4/805–807 - Letter from Ms Sarah Davidson to Mr Paul Grice, 4 April 2001

⁷³⁵ HS/2/026–030 – Addyman & Kay Paper: ‘Queensberry House: Scottish Parliament Site’, February 1999

⁷³⁶ HS/1/026 –E-mail from Mr John Hume to PS/Secretary of State, 10 November 1998

⁷³⁷ Evidence of Mr Graeme Munro on 13 November 2003, Para 246

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“... the change in listing did not make any practical difference; he [Mr Emerson] acknowledged that the Planning Committee might take a slightly different view based on the higher listing.”⁷³⁸

13.29 Objections received by the Council to the plans for Queensberry House during the consultation period from historians and conservationists seem mostly to be based on the false assumption that the client’s intention had been for a restoration of the building. It had always been Snr Miralles’ intention to retain rather than restore the building, which Historic Scotland had initially agreed with. This is confirmed by Mr Hume in a minute to Mrs Doig on 4 February 1999, when he advocates: “A simple approach to conversion.”⁷³⁹

13.30 From 1999 onwards Historic Scotland and the conservation lobby pushed for full restoration, and it is clear there is confusion over the original agreement with the Scottish Office. In evidence Mr Hume told the Inquiry:

“The intention of the listing legislation is not to preserve, it is to manage the process of change in such a way as to respect the character and historic interest of buildings.”⁷⁴⁰

Change of Chief Inspector

13.31 Mr Hume was Chief Inspector of Historic Buildings at Historic Scotland until February 1999 when he retired. He was then retained as a consultant by the Holyrood Project Team on matters relating to the adaptation of Queensberry House. From 1997 to February 1999 Mr Hume provided advice on behalf of Historic Scotland to the Project and Design Teams on, among other things, matters affecting listed buildings. He prepared a desk study of the architectural significance of Queensberry House in November 1997, which detailed the history of the building and provided information on the restoration work that Historic Scotland would like to see undertaken.

13.32 Mr Hume, on behalf of Historic Scotland approved some, and agreed a way forward for many of the other proposals for the redevelopment of Queensberry House tabled by EMBT/RMJM Ltd at a meeting with members of the Project Team on 28 January 1999.⁷⁴¹ These included issues that the Architect and the Project Team later maintained were re-opened by Historic Scotland.

13.33 At this meeting the decisions on three of the four key issues were as follows: the use of pantiles for the main roof; further work to determine the height of the Belvedere Tower was

⁷³⁸ HS/2/120–123 – Note of Meeting from PS/First Minister to the Director of Historic Scotland, 15 March 2000

⁷³⁹ MS/7/114– 118 - Minute from Mr John Hume to Mrs Barbara Doig, 4 February 1999

⁷⁴⁰ Evidence of Mr John Hume on 13 November 2003, Para 626

⁷⁴¹ HS/2/018–025 - Minutes from Mr David Miller of Meeting of 28 January 1999

to be undertaken; as much retention of the existing flooring as possible was requested, with a decision to be based on the findings of a structural report to be commissioned from Ove Arup. Advice on using the enfilade as the main circulation route had already been provided by Historic Scotland and agreed upon.

- 13.34 The flooring retention issue was resolved at a meeting on 9 March 1999,⁷⁴² after discussion of the Ove Arup findings, when Mr Graham Reed of Historic Scotland agreed to the retention of flooring in identifiable areas only and the removal of all other flooring.
- 13.35 Mr Emerson became Chief Inspector of Historic Buildings on 1 March 1999. He appointed Dr MacKechnie to represent Historic Scotland on all outstanding detail design issues relating to Queensberry House.
- 13.36 Dr MacKechnie attended the meeting of 7 July 1999,⁷⁴³ where EMBT/RMJM Ltd presented the work they had undertaken as a result of Mr Hume's instructions in January. Contrary to the agreement reached at the previous two meetings and the subsequent work undertaken by the Architect, Dr MacKechnie now advised that, in his and Historic Scotland's view, pantiles were not appropriate as a roofing material; the Architect's proposals to remove stonework from the Belvedere Tower were unacceptable; there were serious concerns over the use of the enfilade as a circulation route; and strong objections were raised at the proposal for only two examples of the existing flooring to be retained.
- 13.37 These were to become the four key issues in relation to Queensberry House throughout the Project. However, it is clear that at the July 1999 meeting the basis of Mr Hume's advice on the treatment of other areas within Queensberry House was subsequently viewed as inappropriate by Historic Scotland, who requested that the Architect revisit these previously agreed issues. Mr Stewart provided a list of these items in evidence to the Inquiry,⁷⁴⁴ with which, having examined the evidence, I agree have been re-visited.
- 13.38 Mr Stewart told the Inquiry that:

"It became clear that the new regime in Historic Scotland intended to revisit the previously agreed solutions."⁷⁴⁵

It appears from the minutes⁷⁴⁶ that advice conflicting with that previously given was being received from Historic Scotland following the change of Chief Inspector. There were

⁷⁴² HS/2/033-037 - Notes of Meeting of 9 March 1999

⁷⁴³ RM/1/091-099 - Minutes from Ms Lesley Fisher, 7 July 1999

⁷⁴⁴ Evidence of Mr Brian Stewart on 22 March 2004 (pm), Para 36

⁷⁴⁵ *ibid*, Para 35

genuinely conflicting opinions amongst conservationists, taken in conjunction with a change of client. To the new client the position can not have appeared clear. Mr Spence said:

‘In the case of Queensberry House it was difficult to obtain unequivocal advice due to the range of opinions being made available.’⁷⁴⁷

13.39 The lack of clear direction from Historic Scotland caused the SPCB to feel frustrated in their attempts to make progress, as Mr Grice stated in his evidence to me:

“The general view was that the local authority was trying to get on with its job, but there was some frustration around the SPCB table that Historic Scotland, in their judgment, appeared to be moving the goalposts somewhat, and that made it difficult to make progress with a council in terms of getting Notice of Proposed Development [NOPD] clearance.”⁷⁴⁸

13.40 As speed was the priority for the client, this was frustrating. However as Queensberry House was never on the critical path, it did not impact on the overall programme delivery.

13.41 The SPCB had briefly considered opting for Crown immunity. However it was agreed that once the Scottish Office had committed the Project to the NOPD planning process it should be seen through to the end. Officials perceived that an insistence on Crown immunity over such an important project would create a poor impression in the minds of the public.

Roof Covering

13.42 The use of pantiles as the covering for the main roof of Queensberry House was first recommended by Mr Hume in his report submitted to the Scottish Office on 24 November 1997.⁷⁴⁹ This recommendation, he said, was based on the Sandby drawings dated between 1745 and 1764. The historical accuracy of this recommendation was disputed in the Addyman & Kay Report, “Evidence for Roofing Materials: An Overview” in February 1999.⁷⁵⁰ They found that slate had been the original roof finish for Queensberry House. In light of this report Historic Scotland changed their view and recommended that slate should be used. On 13 April 1999 Donald Dewar resolved the issue in favour of pantiles apparently on aesthetic grounds:

⁷⁴⁶ HS/2/018-025 – Minutes from Mr David Miller of Meeting of 28 January 1999; HS/2/033-037 – Notes of Meeting of 9 March 1999; RM/1/091-099 – Minutes from Ms Lesley Fisher, 7 July 1999

⁷⁴⁷ WS/44/035-042 – Mr Ian Spence’s Witness Statement, 23 March 2004

⁷⁴⁸ Evidence of Mr Paul Grice on 10 February 2004, Para 56

⁷⁴⁹ MS/7/015-022 - Paper by John Hume: Queensberry House ‘Its origin and development’, 24 November 1997

⁷⁵⁰ HS/2/027-030 – Report from Addyman & Kay to Dr Aonghus MacKechnie, February 1999

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“...bearing in mind the Design Team’s preference and the overall principles being adopted in reusing Queensberry House for parliamentary purposes, pantiles should be adopted as the roofing material.”⁷⁵¹

13.43 Despite Donald Dewar’s decision I have heard evidence that Historic Scotland continued to recommend the use of slate until May 2000. Dr Gibbons reported to the SPCB meeting on 9 May 2000:

“... that the architects had received a letter⁷⁵² from the Historic Buildings Inspectorate saying they would continue to oppose the use of pantiles as a roofing material.”⁷⁵³

13.44 The issue was finally resolved in May 2000, when Historic Scotland accepted that pantiles could be used on the roof on aesthetic grounds.

13.45 The issue was clearly kept alive by Historic Scotland from the original advice on 24 November 1997 from Mr Hume until final agreement in the reserved matters NOPD application of 5 May 2000. Despite continued disagreement on this issue, Donald Dewar’s decision was not revised and it does not seem to me to have had an impact on either cost or delay.

Flooring

13.46 The Project Team initially considered strengthening the existing flooring⁷⁵⁴ in accordance with Historic Scotland’s advice.⁷⁵⁵ To help inform this decision Ove Arup & Partners were commissioned to undertake a structural assessment of the floors. They concluded in their subsequent report that strengthening the existing floor structures would compromise their ability to cope with increased loadings and accommodate future uses. They recommended that:

“the existing floor structures be recorded and removed in entirety and new floor structures installed.”⁷⁵⁶

This was consistent with the security advice that the Design Team were receiving at that time.

⁷⁵¹ SE/4/072-072 – E-mail from Mr Kenneth Thomson to Mrs Barbara Doig, 14 April 1999

⁷⁵² HS/2/105–116 - Letter from Dr Robin Evetts to Ms Nira Ponniah, January 2000

⁷⁵³ CB/2/255 - Minutes of SPCB Meeting of 9 May 2000

⁷⁵⁴ HS/2/001 –003 – Letter from Mr William Armstrong, 5 November 1998

⁷⁵⁵ HS/2/018–025 – Minutes from Mr David Miller of Meeting of 28 January 1999

⁷⁵⁶ HS/2/033–037 – Notes on Floor Structure Proposals, 9 March 1999

- 13.47 A meeting was convened with Mr Reed of Historic Scotland on 9 March 1999 to discuss these findings and to reach agreement on the retention of flooring in identifiable areas only. Mr Reed agreed to:
- “... positively promote the retention of identifiable areas of historic flooring somewhere in the building. Historic Scotland would have no objection to all other areas of flooring being removed.”⁷⁵⁷
- 13.48 The decision made by Mr Reed does not seem to have been adopted by Historic Scotland, who stated at a meeting on 7 July 1999⁷⁵⁸ that they strongly objected to the proposal to retain only two examples of existing flooring and minuted citing flooring as one of four on-going areas of concern. At further meetings on 8 October 1999⁷⁵⁹ and 25 November 1999⁷⁶⁰ Historic Scotland disagreed with the principle of removing floors, requested supporting documentation and raised concerns on conservation grounds.
- 13.49 Historic Scotland finally agreed to three original floors being retained at a meeting with the Design Team on 6 October 2000.⁷⁶¹
- 13.50 Although it is evident from the minutes of meetings between the Design Team and Historic Scotland throughout 1999 and 2000 that the question of floor retention remained contentious, the Inquiry has not heard any evidence to suggest that this adversely affected the timetable or overall costs. It would appear that Mr Hume’s original view of retention was not based on historical or structural knowledge of the existing flooring and that the Ove Arup findings were accepted by Mr Reed. Historic Scotland later put the case for as much retention of the original flooring as possible and requested information, which had previously been agreed upon at the meeting of 7 July 1999. When the three areas of retention were finally agreed upon it took just over a year to resolve. This can be viewed as another recurring issue, which the Design Team thought had been resolved prior to handover, but which the SPCB and latterly the HPG had to resolve.

The Belvedere Tower

- 13.51 The remains of part of a Belvedere Tower were discovered in the autumn of 1998 during the archaeological investigations. The Project Team agreed on 5 November 1998 “that it would have to be retained and expressed in the roof design”⁷⁶² and the Architect confirmed at a

⁷⁵⁷ *ibid*

⁷⁵⁸ RM/1/091–099 – Minutes from Ms Lesley Fisher of Meeting of 7 July 1999

⁷⁵⁹ RM/3/054–058 – Minutes from Ms Kirsten Spence of Meeting of 8 October 1999

⁷⁶⁰ HS/2/095–098 – Notes from Mr David Miller of Meeting of 25 November 1999

⁷⁶¹ RM/3/066–069 – Minutes from Ms Nira Ponniah of Meeting of 6 October 2000

⁷⁶² HS/2/001–003 – Letter from Mr William Armstrong, 5 November 1998

meeting on 27 November 1998⁷⁶³ that they could “see no present difficulties in integrating this into the work”. Further work was authorised on 28 January 1999⁷⁶⁴ to determine the height of the original Belvedere Tower.

- 13.52 It was concluded that the original Belvedere Tower would have been visible above the roof level and at a meeting on 7 July 1999 the Architect expressed his concerns over the proposal to retain remnants of the Tower above the roof level. EMBT/RMJM Ltd presented two drawings to Historic Scotland⁷⁶⁵ which indicated that some of the original stonework would be removed. Dr MacKechnie, for Historic Scotland, said that this proposal was unacceptable.
- 13.53 The proposal to reduce the height of the Belvedere Tower was included in the amended NOPD application lodged with the Council on 5 May 2000. The Design Team were subsequently informed by the Council that the proposal to reduce the height was not acceptable and recommended that it either be retained or restored.
- 13.54 In evidence to the Inquiry Sir David Steel stated that the SPCB were only informed about the Belvedere Tower in August 1999.
- “On 6 August 1999 the Corporate Body was told that the stone remains of a belvedere or outlook tower were situated in the roof space (not mentioned in the survey) and ‘that the intention was to keep the Belvedere Tower in situ’.”⁷⁶⁶
- 13.55 It is apparent from minutes that have been presented to me that the Belvedere Tower was known about by the Design Team as early as November 1998. There seems to be some question as to why the SPCB were apparently not aware of its existence once the Project was transferred to them, or of the prior agreement by the Design Team to retain it and incorporate it into the roof design.
- 13.56 The matter was finally resolved in September 2000 when the SPCB offered to retain the Belvedere: “.. by building up part of the structure which had been lost during the original alterations.”⁷⁶⁷
- 13.57 It would appear that the decision by the Architect in July 1999 to reduce the height of the Belvedere Tower, by removing some of the original stonework, was inconsistent with the previous agreement reached with Historic Scotland in November 1998 that it would be retained.

⁷⁶³ HS/2/004–008a – Minutes from Mr David Miller of Meeting of 27 November 1998

⁷⁶⁴ HS/2/018–025 - Minutes from Mr David Miller of Meeting of 28 January 1999

⁷⁶⁵ RM/1/091–099 - Minutes from Ms Lesley Fisher of Meeting of 7 July 1999

⁷⁶⁶ Evidence of Sir David Steel on 1 April 2004, Paras 116 and 170

⁷⁶⁷ Evidence of Mr Graeme Munro on 13 November 2003, Para 566

- 13.58 Members of the HPG and Sir David Steel have suggested in evidence to me that Historic Scotland were pushing for not just the retention of the Belvedere Tower, but its reconstruction. However, Historic Scotland's evidence has been that there was no change of view from the original decision to retain it, agreed by Mr Hume in November 1998.
- 13.59 On 25 May 2000 Mr Munro stated that: "There are compelling conservation arguments ... in favour of its reconstruction to its original form"⁷⁶⁸ and indicated on 28 September 2000 that "...while Historic Scotland's preference would be to see the belvedere simply rebuilt, the Agency would be content if the SPCB decided simply to strengthen and retain the existing structure."⁷⁶⁹ I am bound to conclude that Historic Scotland sought to revisit the issue of the Belvedere Tower with a view to its restoration, as opposed to retention, but ultimately conceded the point and expressed themselves to be content with partial reconstruction.
- 13.60 The issue of the Belvedere Tower held up the listed building consent according to the evidence of HPG member Mr Wright:
- 'Statutory approvals, critical to the progress of this area of the site were being withheld on the basis that Historic Scotland was seeking the Tower's retention and reconstruction. The approvals were expected to be issued by June 2000, and beyond that there was a risk to programme. They were issued finally in November 2000, and even then they were received only after the intervention of the political members of the group.'⁷⁷⁰
- 13.61 There was a significant discrepancy between the advice from Historic Scotland and that of Mr Gordon on the potential costs of retaining the Belvedere Tower. In a minute from Mr Gregor Stark, Regional Architect, to Mr Munro on 11 August 2000 he estimated: "... a total estimated cost of the Belvedere at £248,000."⁷⁷¹ However, in a minute from Mr Gordon to Donald Dewar on 1 December 1999 he attaches a potential cost of £1 million to the restoration of the Belvedere.⁷⁷² I have received no evidence to support that figure.
- 13.62 The HPG was informed by Mr Fisher at a meeting on 15 November 2000⁷⁷³ that "the overall cost of the work on the Belvedere would be in the region of £344,000 including fees and VAT."

⁷⁶⁸ HS/2/131-132 - Minute from Mr Graeme Munro to PS/SEED, Scottish Executive, 25 May 2000

⁷⁶⁹ HS/1/064 - Minute from Ms Sarah Davidson, 28 September 2000

⁷⁷⁰ WS/39/001-034 - Mr Andrew Wright's Witness Statement, Para 22

⁷⁷¹ HS/1/055-056 - Minute from Mr Stark to Mr Graeme Munro, 11 August 2000

⁷⁷² HS/2/100-101 - Minute from Mr Robert Gordon to Donald Dewar, 1 December 1999

⁷⁷³ CB/4/081-083a - Minute of HPG Meeting of 15 November 2000

The Holyrood Inquiry

13.63 It is obvious that the issues of retention against restoration and the Architect's plans after handover to demolish part of the existing Belvedere Tower led to unnecessary delays in obtaining listed building consent and added to the cost of the Project. Whilst the costs incurred are minimal when compared with the cost of the Project as a whole, this delay could and should have been avoided. Poor administration, differences of professional view, and changes of personnel are to blame. It was irksome and in some respects irrelevant, but it took up an inordinate amount of time and involvement. Even the Secretary of State was involved in protracted negotiations over a matter which should have been effectively dealt with by the Project Team. Historic Scotland was understandably pernickety, but it might be argued that that is their role. What appears to have gone wrong is that the Project Team placed undue reliance on the opinion of Mr Hume, the former Chief Inspector.

The Enfilade

13.64 The enfilade is a surviving 17th Century architectural feature on the ground floor of Queensberry House consisting of a series of doorways in a straight line along the garden or south front, which at a meeting on 27 November 1998,⁷⁷⁴ Historic Scotland had suggested be used as a main circulation route between the Entrance, MSP and Assembly buildings.

13.65 The Architect's drawings for this part of the design were agreed by Mr Hume at a meeting on 28 January 1999,⁷⁷⁵ pending more detailed input. Drawings detailing the widening of the enfilade were presented to Historic Scotland at a meeting on 7 July 1999.⁷⁷⁶ Dr MacKechnie expressed Historic Scotland's serious concern at this proposal and suggested a number of alternatives. The Architect in turn expressed concern that the alternatives proposed would have a serious impact on programme and cost implications.

13.66 In his evidence to the Inquiry Mr Emerson accepted that Historic Scotland had changed its position on this issue.⁷⁷⁷

13.67 In the event, the Parliament's subsequent requirement for additional space resulted in a major design change to Queensberry House, which included the removal of the circulation space from within the Canongate level of Queensberry House to a new external glazed structure at the original garden level. The garden, previously held as sacrosanct, was given over to the new foyer. This revised design solution resolved the enfilade issue in May 2000.

⁷⁷⁴ HS/2/004-008a - Minutes from Mr David Miller of Meeting of 27 November 1998

⁷⁷⁵ HS/2/018-025 - Minutes from Mr David Miller of Meeting of 28 January 1999

⁷⁷⁶ RM/1/091-099 - Minutes from Ms Lesley Fisher of Meeting of 7 July 1999

⁷⁷⁷ Evidence of Mr Richard Emerson on 3 March 2004, Para 365

- 13.68 Although the issue of the enfilade was in contention for almost 2½ years, any delay in receiving planning permission can be attributed to the change in design. Historic Scotland ultimately agreed to building over the garden area, which they had previously asked to be retained. I do not find that the enfilade issue contributed to time or cost delays, although the new foyer resolved upon as a better solution by the Architect contributed significantly to both.

The Wallhead Height

- 13.69 During the course of the archaeological investigations by Addyman & Kay it was discovered that at some point in its history the wallhead on which the roof rested had been raised. The removal of the harling was discussed by the Project Team in the latter part of 1999, but I have received no documentary evidence of this proposal being implemented by the Project Team at that time. It appears to have been an awkward issue brushed aside. At the 4 April 2001 meeting of the HPG, Mr Kinsley reported that Historic Scotland and the City of Edinburgh Council wanted the wallhead reduced to its original height, which had been 300mm lower.⁷⁷⁸
- 13.70 The then Secretary, Ms Davidson, advised the Clerk on 4 April 2001 that the design of the wallhead should be altered in line with the new archaeological evidence available:

“The Holyrood Progress Group therefore recommends that the Design Team be instructed to redesign the wallhead of Queensberry House in line with the archaeological evidence.”⁷⁷⁹

This was agreed, even though it meant that some headroom under the roof would be lost.

- 13.71 The reduction of the wallhead height was estimated at a cost of between £200,000 and £400,000 in January 2001.
- 13.72 Historic Scotland had identified the investigation of the original height of the wallhead as a priority in April 1999, although it does not appear to have been addressed by the Design Team until January 2001. The SPCB do not appear to have been made aware of this issue at handover, but in any event the resolution of it was left on a back boiler for far too long.

The Spencely Report of March 2000

- 13.73 In Mr Spencely's analysis of Queensberry House within his Report of March 2000 to the SPCB he concluded that: “the expenditure on Queensberry House, at an estimated £10 - £11 million, is not value for money” and suggested that as most of the architecture would be

⁷⁷⁸ CB/4/778–783 - Minutes of HPG Meeting of 4 April 2001

⁷⁷⁹ CB/4/805–807 - Letter from Ms Sarah Davidson to Mr Paul Grice, 4 April 2001

conjectural, “the same effect could be achieved at lesser cost by building anew from new foundations and I recommend that this be done.” In his evidence to me Sir David Steel confirmed that the option of demolishing Queensberry House was discussed but discarded.

Cost of Queensberry House

13.74 In the original cost plan produced by Morham & Brotchie for the Simpson & Brown Report,⁷⁸⁰ the total cost of building works was estimated at £6.9 million. The final cost is estimated to be in the region of £14 million including fees. In evidence to me Mr Grice stated that:

“the Parliament had to meet a much higher bill — indeed approximately double, I think, what the estimate had put in to make Queensberry House fit for use.”⁷⁸¹

13.75 It has proved to be the case that Queensberry House, in terms of cost per square metre, has turned out to be the most expensive part of the entire project. The doubling of the total cost to £14 million is largely attributable to the necessary structural repairs, which are understandable in a building of that age. Nevertheless, the overall cost, when viewed in light of the full cost of the Project currently at £431 million, can be viewed as comparatively minor. As I indicated in my Introduction, it is not part of my remit to comment on the aesthetics of the Project and, in particular, I decline to comment on the aesthetics of the integration into the new Parliament complex of Queensberry House, or the workability of its facilities for MSPs or the Presiding Officer of the day. However, it would appear to me that the insistence that existing features of the building be unaltered in combination with necessary anti-terrorist measures within the interiors does not offer, as Mr Spencely observed, much value for money. Paragraph 15.9 sets out an estimate of overall blast costs. In my view the blast costs specifically related to Queensberry House at just over £2 million has to be regarded as disproportionate. In part that is obviously attributable to the proximity of Queensberry House to the Canongate but if this had been carefully analysed at an early stage, it is an interesting speculation whether a more radical approach to Queensberry House might have been adopted.

Impact on Overall Cost and Programme

13.76 It is clear from the evidence presented to me that the arguments surrounding the treatment of Queensberry House as part of the Holyrood Project were protracted and convictions were strongly held almost from the Project’s inception. The time taken to resolve issues was lengthy and hindered by the decision rightly taken to follow the NOPD planning process; the change in Historic Scotland personnel, which resulted in differing advice; the on-going

⁷⁸⁰ MS/7/072–073 - Simpson & Brown Report - Morham & Brotchie First Outline Cost Plan, 31 December 1997

⁷⁸¹ Evidence of Mr Paul Grice on 10 February 2004, Para 5

archaeological discoveries that informed that advice, and the client's priority of incorporating Queensberry House as a necessary working part of the parliamentary complex, rather than undertaking a full restoration of a Category A listed building.

- 13.77 There is no doubt that by having to focus on specific recurring themes in relation to Queensberry House, the HPG and the Project Team found it difficult to make progress and that these issues were discussed at the highest level by the First Minister and Presiding Officer to try and find a resolution. Crucially, however, it is to be noted this did not cause any delay to the overall programme, as Queensberry House was never on the critical path. At the same time the costs of Queensberry House have been significantly greater than anticipated at the outset.