

Mavisbank House and Grounds: Update on securing a viable project partner

Report by Dr Mary Smith, Director of Education, Communities and Economy

1 Purpose of Report

- 1.1 This report provides an update on restoration proposals at Mavisbank House and the Council's commitment to support the restoration of Mavisbank House and its grounds, as set out in the Mavisbank Concordat (May 2012). It sets out the Council's position of providing staff resource but no direct financial resources.
- 1.2 The report sets out that The Landmark Trust and Historic Environment Scotland have taken over from the Mavisbank Trust in taking forward the restoration of Mavisbank House and Grounds and that they are considered viable partners for the Council.

2 Background

Historical

- 2.1 Mavisbank House and grounds sit within the river valley of the River North Esk in between Loanhead and Bonnyrigg. Mavisbank House is a category A listed building within the Mavisbank Conservation Area and is listed within the national Inventory of Gardens and Designed Landscapes.
- 2.2 The house and grounds were built between 1723-1727 for Sir John Clerk of Penicuik. The house was designed by renowned architect William Adam. The house, its pavilions, and the grounds were designed to sit in unity with their landscape setting of the Esk Valley.
- 2.3 The house and grounds are of national cultural and historical significance. Mavisbank is Scotland's first Palladian villa and was built as a place of retreat from the city (Edinburgh) according to the Renaissance ideal that became the pattern for the 18th century. It is therefore a very important part of the 18th century Scottish Enlightenment.
- 2.4 A recent Historic Environment Scotland review concluded:
"Mavisbank is a forerunner in architectural history, designed and built by a prominent member of society and one of the most famous architects of the day. It is an interpretation of a classical Roman villa translated to the Scottish countryside, notable for its design and petite scale as well as its landscape setting. It is an important landmark in architectural history."

The Landmark Trust and Historic Environment Scotland – Joint Restoration Project

- 2.5 As described by The Landmark Trust and Historic Environment Scotland at their presentation to elected Council Members on 23 October 2019, they have been working together to develop a restoration project for Mavisbank House and grounds. The Landmark Trust and Historic Environment Scotland are developing a project for submitting to the National Lottery Heritage Fund in 2020.
- 2.6 The restoration of the house and grounds is anticipated to cost almost £20 million. As described by The Landmark Trust and Historic Environment Scotland at their presentation, restoration would include the restored house being available as a holiday let, the pavilion wings of the house being made available for public access and community use, improved access to the grounds and training and education programmes occurring in the grounds.
- 2.7 In October 2019 The Landmark Trust and Historic Environment Scotland submitted an expression of interest to the National Heritage Lottery Fund's Heritage Horizon funding programme for funding for a restoration project at Mavisbank. A response on that is expected after the 12 December 2019 general election.
- 2.8 If the National Heritage Lottery Fund is supportive of the principle of a restoration project at Mavisbank and prepared to entertain an application for funding, then an application will be submitted in August 2020 to them for £7 million through the Heritage Horizon funding programme. If the National Heritage Lottery Fund is not supportive of providing that amount of money, a smaller application for £5 million will be submitted to the National Heritage Lottery Fund in March 2020.
- 2.9 The Landmark Trust and Historic Environment Scotland will work to meet the funding gap between the total restoration costs and potential funding from the National Heritage Lottery Fund. All parties are clear that there will be no direct financial support from the Council for the project.
- 2.10 It is considered very unlikely other opportunities exist for the restoration or consolidation of the nationally, historical and culturally, important Mavisbank House and grounds. If the current project fails there is a strong possibility that the house will be left to further deteriorate and potentially collapse. It is also a unique opportunity to attract this investment to Midlothian. If the project does not go ahead, the investment will be made elsewhere in the UK. It cannot be diverted to other activities in Midlothian.

Mavisbank Concordat – May 2012

- 2.11 The Mavisbank Concordat was signed jointly between the then Historic Scotland (now Historic Environment Scotland), the Mavisbank Trust, the Edinburgh & Lothians Greenspace Trust and Midlothian Council on 15 May 2012. The Concordat (appended to this report) sets out the commitments of the signatory bodies to the restoration of Mavisbank House and Grounds. The Council's commitments are to:
 - a) Support the work of the Mavisbank Trust to restore the House and Policies (Mavisbank House and grounds), to develop the community value of the Policies and improve access; and

- b) Take forward Compulsory Purchase Order procedures for the House (Mavisbank) once a viable funding package is in place and confirmed.
- 2.12 The position of the Council, as set out in the Mavisbank Concordat remains and is therefore a continuing commitment.
- 2.13 The Landmark Trust and Historic Environment Scotland have taken over from the Mavisbank Trust in taking forward the restoration of Mavisbank House and Grounds. While the Mavisbank Trust is still actively supportive of a restoration, their role in the Concordat has been replaced by the Landmark Trust.
- 2.14 The Landmark Trust and Historic Environment Scotland are considered viable organisations and partners in terms of the Council being able to fulfil its commitments set out in the Concordat.
- 2.15 To date the Council has supported the project with Council officer time, and this will need to continue in order for the compulsory purchase of the house to proceed. The compulsory purchase is necessary due to the unclear ownership of the house.

3 Report Implications

3.1 Resource

Capital and Revenue

Whilst the Council is not providing direct financial support for the project. Council officer staff time, from the Planning and Legal sections, is needed to support the project and to fulfil the Council's commitments in the Mavisbank Concordat of undertaking a compulsory purchase order. Officer time will come from existing resources.

As set out in paragraph 2.11 of this report, the Mavisbank Concordat commits the Council to taking forward compulsory purchase order procedures for Mavisbank House once a viable funding package for restoration is in place and confirmed. No such funding package is currently in place.

The Council's position on the compulsory purchase order was agreed by Cabinet on 10 January 2012. The Council will only use the compulsory purchase order powers vested in it to acquire Mavisbank House once a viable funding package for the restoration of the House has been secured by The Landmark Trust and Historic Environment Scotland and that the Council's costs in carrying out the compulsory purchase order are covered by The Landmark Trust and Historic Environment Scotland.

Further, a compulsory purchase order will only be undertaken by the Council once necessary legal guarantees are in place to ensure that ownership of Mavisbank House is immediately transferred from the Council to Historic Environment Scotland.

The Landmark Trust and Historic Environment Scotland would be responsible for all costs of the restoration and ongoing maintenance of the house and grounds.

3.2 Risk

Not supporting the project by providing staff time to pursue the compulsory purchase order may create reputational damage to the Council if it is perceived to not be following through on its commitments in the 2012 Mavisbank Concordat.

It is considered very unlikely other opportunities exist for the restoration or consolidation of the nationally important, historically and culturally, Mavisbank House. If the current project fails there is a strong possibility that the house will be left to further deteriorate and potentially collapse. The opportunities for the local community which will be created through the restoration of the house and grounds, including recreation, training and education, will also be lost.

3.3 Single Midlothian Plan and Business Transformation

Themes addressed in this report:

- ☐ Community safety
- ☒ Adult health, care and housing
- ☒ Getting it right for every Midlothian child
- ☒ Improving opportunities in Midlothian
- ☒ Sustainable growth
- ☐ Business transformation and Best Value
- ☐ None of the above

3.4 Key Priorities within the Single Midlothian Plan

Support for investment in Mavisbank House and its grounds will help support indoor and outdoor recreation and provide significant potential for training and education opportunities, for all ages, in outdoor skills and heritage (built and natural) and conservation awareness. The restoration of Mavisbank and grounds, and their ongoing maintenance, represent employment opportunities and provide a visitor destination in Midlothian.

3.5 Impact on Performance and Outcomes

As set out in paragraphs 2.11 to 2.15 and 3.1 of this report.

3.6 Adopting a Preventative Approach

Investment in Mavisbank House will prevent further decay of this building of national importance. Investment will also provide opportunities for healthier lifestyles through recreation possibilities and skills development through training and education opportunities.

3.7 Involving Communities and Other Stakeholders

Public engagement has been undertaken by Historic Environment Scotland in the local area and more is being undertaken currently. Further engagement will be undertaken by The Landmark Trust and Historic Environment Scotland as the grant application to the National Heritage Lottery Fund for the restoration is made in 2020.

3.8 Ensuring Equalities

This report does not relate to a new / revised policy / service change / budget change. It is therefore considered that undertaking an Equalities Impact Assessment (EqIA) in relation to this report is unnecessary.

3.9 Supporting Sustainable Development

The restoration of Mavisbank House and grounds offers opportunities for local recreation and skills and training development in a variety of areas, including, outdoor skills, conservation. These are contributors to a sustainable economic and physical environment.

This report does not relate to the adoption by the Council of a strategic document and Strategic Environmental Assessment ('SEA') legislation does not apply to this report.

3.10 IT Issues

There are no IT implications from this report.

4 Summary

The Landmark Trust and Historic Environment Scotland have taken over from the Mavisbank Trust in taking forward the restoration of Mavisbank House and grounds and they are considered viable partners to help the Council meet its commitments set out in the 2012 Mavisbank Concordat (appended to this report).

The restoration of the house and grounds is anticipated to cost almost £20 million. The restoration will result in the restored house being made available for holiday let, the pavilion wings of the house offering facilities for the public and community use, improved access to the grounds and training and education programmes occurring in the grounds.

If the current restoration project fails to attract sufficient funding, there is a strong possibility that Mavisbank House will further deteriorate and this building of national historic importance in Midlothian potentially collapsing. The opportunities for the local community which will be created through the restoration of the house and grounds, including recreation, training and education, will also be lost.

The Council is not supplying direct financial support for the project. Council officer staff time is needed to support the project and to fulfil the Council's commitment in the Mavisbank Concordat. The funding for this staff time will come from existing staffing budgets for Council Planning and Legal teams.

The Concordat commits the Council to taking forward Compulsory Purchase Order procedures for Mavisbank House once a viable funding package is in place and confirmed. The Council will only use the compulsory purchase order powers vested in it to acquire Mavisbank House once a funding package for the restoration of the House has been secured by The Landmark Trust and Historic Environment Scotland and that the Council's costs in carrying out the compulsory purchase order are covered by The Landmark Trust and Historic Environment Scotland.

Further, a compulsory purchase order will only be undertaken by the Council once necessary legal guarantees are in place to ensure that ownership of Mavisbank House is immediately transferred from the Council to Historic Environment Scotland. The Landmark Trust and Historic Environment Scotland would be responsible for all costs of the restoration and ongoing maintenance of the house and grounds.

5 Recommendations

5.1 It is recommended that Council notes:

- i) The Landmark Trust and Historic Environment Scotland are working together on a proposal for the restoration of Mavisbank House and its grounds, and will be applying to the National Heritage Lottery Fund for grant funding;
- ii) The Landmark Trust and Historic Environment Scotland are considered viable partners in terms of the 2012 Mavisbank Concordat;
- iii) the Council will be using compulsory purchase order powers vested in it to acquire Mavisbank House once a viable funding package for the restoration of the house has been secured by the Landmark Trust and Historic Environment Scotland. The compulsory purchase order will only be undertaken by the Council once necessary legal guarantees are in place to ensure that ownership of Mavisbank House is immediately transferred from the Council to Historic Environment Scotland;
- iv) that the Council will require costs associated with carrying out the compulsory purchase order to be covered by The Landmark Trust and Historic Environment Scotland; and
- v) instructs further reports to be submitted to Council on progress with these matters.

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Report Contact:

Grant Ballantine, Lead Officer Conservation and Environment

grant.ballantine@midlothian.gov.uk

Tel No 0131 271 3429

Background Papers: Mavisbank Concordat May 2012 and Plan showing location of Mavisbank House and Policies.