

Finance and Resources Committee

10.00am, Tuesday, 21 November 2023

1906 Portobello Kiln Repairs

Executive/routine
Wards

Executive
17 – Portobello/Craigmillar

1. Recommendations

- 1.1 It is recommended that Finance and Resources Committee approves allocation of £0.224m from the capital programme short term contingency budget to repair the 1906 Portobello Kilns, meeting the Council's legal obligation in line with its Scheduled Monument Consent.

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Report

1906 Portobello Kiln repair

2. Executive Summary

- 2.1 This report seeks approval to proceed with works to restore the Kiln and to ensure compliance with the Council's Scheduled Monument Consent. It is proposed the balance of £0.224m is funded from the Capital contingency budget, which stands at £44.0m in the 2023-33 Capital Investment Programme.

3. Background

- 3.1 The 1906 Kiln (along with its neighbour constructed in 1909) is a remnant of the A W Buchan & Co. Pottery and a nationally important survivor of not only Edinburgh's but also Scotland's historic pottery industry which dates in Portobello back to the 18th century. The two kilns survived in operation until the pottery went out of business in the late 1960's before being demolished at the start of the 1970's. Their national archaeological importance was recognised when they were given Scheduled Monument status in 1973 (index number SM3317) and legal protection.
- 3.2 The kilns, both owned by the Council, are the last two surviving industrial pottery kilns in Scotland and form a major landmark within the Portobello Conservation Area. The kilns also play an important part in the identity of Portobello and its local community, with the Portobello Heritage Trust being pivotal to the rebuilding of the 1909 kiln in 2014 and having a continued interest in, and promotion of, the site's heritage. In addition, the Kilns recently have been the focus of community-based art projects run by Art Work Party including celebrating the work of the surviving woman decorators.

4. Main report

- 4.1 In 2017, an engineering inspection report prepared by engineers Will Rudd Davidson identified the 1970s reconstruction, which repaired the upper cone, as having made the 1906 Kiln unstable and at risk of collapse. The Council accordingly instructed that the Kiln be carefully disassembled from its top down to a height of circa 2.5 metres and hoarding erected around the kiln to protect passers-by. Scheduled Monument Consent (SMC) was granted for this work (300034779)

subject to conditions and the upper kiln was taken down in 2019, monitored by a Royal Incorporation of Architects in Scotland (RIAS) conservation accredited architect.

- 4.2 A condition of the 2019 consent was that the structure be rebuilt within one year of works commencing on site (taking down upper section) and a scheme of works and timetable for the rebuilding of the kiln shall be submitted to Historic Environment Scotland (HES) for approval.
- 4.3 Unfortunately, works to restore the 1906 Kiln were delayed by the COVID-19 pandemic coupled with higher-than-forecast quotes to carry out the works. As a result, an application was submitted in July 2021 seeking an extension to the timetable in order to seek extra funding. This was secured with SMC granting an extension of the timetable for this condition of 14 months to September 2021 (application reference 300052634). However due to a misinterpretation of the timescales, it was seen as 14 months from the Council application and not to September 2021. Accordingly, the Council had failed to meet this condition, prompting HES to open an unauthorised works case in May 2022 in line with the Ancient Monuments and Archaeological Areas Act 1979. Following discussions between the Council and HES to resolve the matter and aid in funding a new consent (300060295) was obtained. Condition 4 of this requires work on site to rebuild the Kiln to commence by March 2024.
- 4.4 During this period, Council officers both actively sought external and internal funding and engaged with local stakeholders including Portobello Heritage Trust. Funding has been secured from the Place Based Investment Programme for 2023/24 (£0.173m) and the Council's revenue budget for 2022/23 (£0.057m). However, bids to the National Lottery Heritage Fund (£0.250m) and the Pilgrim Trust (£0.030m) have been unsuccessful. A 2022 bid to HES was similarly turned down due to the enforcement case being undertaken, however the Council was asked to resubmit once resolved. A new bid is currently with HES for £0.157m.
- 4.5 The Council is now seeking to take forward the restoration of the 1906 kiln as per current Scheduled Monument Consent (30060295), thereby meeting its Scheduled Monument Consent obligations, reinstating this key historic monument and iconic local landmark, improve and reinstate the local public realm of key element of Portobello's Conservation Area.

5. Next Steps

- 5.1 If the Committee approves the recommendation, subject to successful external match funding being achieved, progress will be made with procuring and appointing the specialist contractors required to undertake the work in compliance with the conditions set out in Scheduled Monument Consent 300060295 (see Appendix 1), to rebuild the kiln issued by HES.

6. Financial impact

- 6.1 The cost of the repairs is estimated at £0.611m. £0.228m of budget is currently in place, leaving a shortfall of £0.381m.
- 6.2 £0.173m of this is funded from the Place Based Investment Fund which requires commitment to be spent within 2023/24, or must be repaid to the Scottish Government.
- 6.3 The Council has made a bid to HES for £0.157m. If this is successful, the shortfall will be reduced to £0.224m.
- 6.4 It is proposed the balance of £0.224m is funded from the Capital contingency budget, which stands at £44.0m in the 2023-33 Capital Investment Programme. Should the HES bid be unsuccessful, capital budget will have to be reallocated from other Place capital projects or programmes.
- 6.5 Loan charges associated with this over a 30-year period would be a principal amount of £0.224m, interest and expenses of £0.234m, resulting in a total cost of £0.458m based on a loans fund interest rate of 5.25%. The average annual cost would be £0.015m for 30 years.

7. Equality and Poverty Impact

- 7.1 Repair of the monument will allow access for all Edinburgh residents to visit a key heritage landmark but at this stage it is no immediate equalities and poverty factors have been identified that will need to be taken into account.

8. Climate and Nature Emergency Implications

- 8.1 As a public body, the Council has statutory duties relating to climate emissions and biodiversity. The Council

“must, in exercising its functions, act in the way best calculated to contribute to the delivery of emissions reduction targets”

(Climate Change (Emissions Reductions Targets) (Scotland) Act 2019), and

“in exercising any functions, to further the conservation of biodiversity so far as it is consistent with the proper exercise of those functions”

(Nature Conservation (Scotland) Act 2004)

- 8.2 The City of Edinburgh Council declared a Climate Emergency in 2019 and committed to work towards a target of net zero emissions by 2030 for both city and corporate emissions and embedded this as a core priority of the Council Business Plan 2023-2027. The Council also declared a Nature Emergency in 2023.

Environmental Impacts

- 8.3 A functioning historic building contributes to the ongoing success of Portobello Kilns as a visitor destination. Continued deterioration of the building will add to future repair costs.

9. Risk, policy, compliance, governance and community impact

- 9.1 Consultation has taken place with Local Councillors, Tommy Sheppard MP and the Portobello Heritage Trust who are supportive of the proposal and how it contributes to the success of the area.
- 9.2 The key risks to the Council are failure to comply with conditions of the Scheduled Monument Consent leading to further possible legal action by HES on behalf of the Scottish Government. Furthermore, the reputational damage of not maintaining a high-profile scheduled monument. If the recommendations are not approved, officers will mitigate reputational risk through continued dialogue with stakeholders. Delayed decision making will result in further degradation of the building and increase capital costs for both ongoing care and maintenance and rebuilding.
- 9.3 There is a risk that costs escalate given the historic nature of the building and the availability and procurement of the specialist contractors needed to undertake the work. Officers will work within agreed budget parameters and approval processes needed to repair and rebuild the building and report back on any changes or impediments to a successful outcome.

10. Background reading/external references

- 10.1 None.

11. Appendices

- 11.1 Historic Environment Scotland Scheduled Monument Consent Decision (300060295) To rebuild the upper section of the 1906 Kiln - issued 10 October 2022 [to follow].