ABSTRACT
This report advises of the discovery of a stone masonry building structure within the infilled former Pitskelly Quarry at Upper Victoria junction on the route of the upgraded A92; and makes recommendations for dealing with the structure.

1 RECOMMENDATIONS

1.1 It is recommended that the Committee agree:-

(i) to note the discovery of a stone masonry building within the former infilled quarry (Pitskelly Quarry) at Upper Victoria on the route of the upgraded A92;

(ii) to note the work which has been undertaken under instruction of the Director of Roads and by the new works contractor, Morgan Est Civil Engineering Ltd, to investigate the history and condition of the structure together with investigations of options for dealing with it now;

(iii) to note the findings of those investigations as set out in this report;

(iv) to note and agree the options set out in this report for the possible means of dealing with this building;

(v) to note the financial implications associated with the identified options insofar as they are quantifiable at present;

(vi) to note that should this Committee decide to retain the structure then an Angus Council Change will be required under the terms of the contract between the Council and the company for the A92 Project (Claymore Roads Ltd);

(vii) that, taking due account of the relevant factors, the structure should be demolished following careful recording of its dimensions, design, construction and appearance, and of the findings of an archaeological investigation of its sub-structure/foundation (facilitated through demolition of the superstructure).
BACKGROUND

2.1 During April 2004 a small stone masonry building was uncovered by the earthworks associated with the construction of the Upper Victoria grade-separated junction, part of the upgrading of the A92. The building was located at grid reference No. 53686 36051 and is situated at the edge of the former Pitskelly Quarry which had been infilled around the mid 1950’s. Although extensive ground investigation, archaeological investigations and desk studies had been conducted along the route length the existence of this building was not known to the Council prior to its discovery through the earthworks.

2.2 The building is circular in plan, approximately 15.4m in circumference (4.5m in diameter) and has a domed stone roof, standing approximately 4m high above its base slab level. It has a door opening on the south elevation and a window opening facing eastwards. The superstructure is constructed entirely of sandstone masonry although it is considered likely that the roof was sheeted at one time, probably in metal – lead or copper being most likely.

2.3 The building is located precisely on the line of the east kerb of the proposed new Upper Victoria link road on the south east quadrant of the intended grade-separated junction.

2.4 Since its discovery both the Council and the new works contractor (Morgan Est Civil Engineering) have undertaken various specialised investigations to determine its history, condition and cultural significance in its current context.

2.5 An archaeological report was commissioned by Morgan Est, and undertaken on their behalf by CFA Archaeology Ltd (their retained archaeological consultant for the purposes of the project). The report produced by CFA is included with this report as Appendix 1.

2.6 The Council has the benefit of receiving advice from Mr Ian Shepherd who is Principal Archaeology Officer employed by Aberdeenshire Council but whose services are also retained by Angus Council for its own benefit. Mr Shepherd has offered relevant specialised advice to the Director of Roads on this matter including regarding the nature of further investigation and interpretation of the findings of said investigations. Mr Shepherd’s summary advice (by e-mail) is included at Appendix 2 to this report.

2.7 On the basis of advice received from Mr Shepherd the Director of Roads commissioned a further survey from Mr John Addison (Peter Stephen and Partners), conservation engineer, to ascertain the physical condition of the building and its propensity to retention together with associated costs. Mr Addison’s brief together with his reports are contained in Appendix 3 to this report.

2.8 As mentioned earlier the building has literally been unearthed from the former infilled quarry. It is known that the nature of the infilled material was variable and contained mixtures of domestic and industrial refuse from that era. Mr Addison identified in his report that he suspected chemical contamination of the fabric of the building and
further recommended supplemental consideration of the possibility and nature of any such contamination.

2.9 During the preparation for the A92 project the Council had commissioned a study of the nature of the quarry infill material in view of its then known potential contamination in the overall context of the construction of the road. This work had been carried out on behalf of the Council by Terrenus Ltd (Paisley) who produced their report in July 2003 (“Combined Stage 1/Stage 2 Investigation Pitskelly Quarry, Angus”). For the purposes of relevant background the Executive Summary of this earlier report is included within this report at Appendix 4, although it should be noted that this does not address the specifics of the building as its presence was not known by the Council at that time (July 2003).

2.10 In view of Terrenus’ prior relevant knowledge of the site conditions, the Director of Roads commissioned them to investigate further the concerns raised in John Addison’s report. The Terrenus report (dated 2 June 2004) is contained in Appendix 5 to this report.

2.11 In terms of the A92 DBFO Contract between the Council and Claymore Roads Limited (the “Company”), the discovery of antiquities is a Relief Event entitling the Company to protection from termination of the contract due to delay to the extent that such delay is attributable to that discovery. The discovery of the building does not in itself however entitle the Company to any extra payment as the risk lies with them under the contract. Accordingly, the Company has sole contractual responsibility for addressing any construction effects in respect of the project works arising from the discovery.

3 DISCUSSION

3.1 Members may be aware that the discovery of the building has raised some local interest and has been provoking some local media coverage. There has been a view expressed that the building has significant historical interest and cultural value in the local context at Upper Victoria and that is should therefore be retained.

3.2 The investigations undertaken to date remain inconclusive as to the origin and purpose of the building. It appears to date from the end of the 18th Century or early part of the 19th Century. It may have been an estate building (grotto) unconnected to the activities of the quarry but which was subsequently used for quarry related activities including blacksmithing associated with the quarrying tools.

3.3 Equally it may have been used as a dovecot for the purposes of the estate. However this seems incompatible with the location and timing of the quarrying operations.

3.4 There is also a view that it was constructed as a munitions workshop specifically for the purpose of the quarrying activities.

3.5 It is of course quite possible that it served several discrete and separate functions throughout its history (200 years or so). Nevertheless it does now appear somewhat out of context in view of current land uses in the immediate vicinity.
3.6 In view of its potential significance the Council and the new works contractor delayed any decision on the future of the structure to allow time to conduct further investigations, as have been described above. Nevertheless, as mentioned above the building is in the intended line of the new works and a decision must be made to allow the A92 project works to proceed.

3.7 It is considered that the Council has a number of options to consider, namely:

(i) retain the structure in its current location – which would require the realignment of the new side road (the Upper Victoria Road) linking the A92 to Carnoustie;

(ii) relocate the structure elsewhere either by moving it as a single body, or by disassembling and reassembling it elsewhere;

(iii) re-bury the structure in its current location for possible scrutiny/use by future generations;

(iv) investigate and record the detail of the structure and then allow its demolition while facilitating archaeological investigation of the associated sub-structure.

4 CONSIDERATION OF OPTIONS

4.1 In order to inform fully a decision as to the most appropriate option to adopt additional views have been obtained from the following:-

(a) Historic Scotland
(b) Angus Council Conservation Officer
(c) The Director of Leisure Services (per Head of Cultural Services)

4.2 The Director of Roads wrote to Historic Scotland on 29 April 2004 and received a reply on 30 April 2004 (by e-mail). Both letter and reply are contained in Appendix 6 to this report. As can be seen from the correspondence Historic Scotland consider that they have no statutory locus in this matter.

4.3 The views of the Council’s conservation officer are contained in an e-mail to J Green from K West sent on 30 April 2004. This communication is contained in Appendix 7 to this report. As can be seen from the correspondence the conservation officer is of the view that there would be no statutory impediment to the demolition of the structure.

4.4 Morgan Est Civil Engineering, through their designer, Faber Maunsell, have investigated the possibility of realigning the new Upper Victoria Link Road and have concluded that it would be possible to translate the side road westwards (by approximately 15m) to enable the retention of the building in its current location albeit that it would be set approximately half way up the side slope of the necessary cutting.
4.5 Regrettably, such movement would require the acquisition of a small amount of additional land (beyond that currently acquired through earlier compulsory acquisition) from the existing land owner both on the north and south sides of the junction (single owner). The Director of Roads has been advised verbally by Morgan Est that the land owner has made the required land available voluntary without the need to invoke compulsory acquisition.

4.6 The Director of Roads has also sought the views of the Director of Planning and Transport as to the sufficiency of the current statutory planning consents in respect of the translation in the alignment of the link road as would be required to facilitate retention of the structure in its current position. The Director of Planning and Transport has advised that the current consents would not need to be revisited to allow the proposed amendment to be undertaken.

4.7 Should it be decided to retain the structure in-situ it would be necessary to undertake certain conservation works to improve the durability of the building and also to provide an enclosure to protect it from degradation from the elements, as recommended in Mr Addison’s report. If the structure is to be retained it would seem reasonable that some form of access provision would be required to allow people to view the structure, although it is unlikely that internal access would be allowable for health and safety reasons. The costs associated with such provision are addressed below in the Financial Implications section of this report.

4.8 The Director of Leisure Services (per the Head of Cultural Services) has been unable to shed any further light on the history and background to the building. He has further advised that while the building is of some historic interest and of rarity value, in its current context it is probably not of major cultural value. There would be likely to be significant on-going maintenance costs in seeking to maintain the structure in perpetuity. It is also possible that if a decision is made to retain the structure it may then become a candidate for listing under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. Should it become so listed this would impose certain statutory duties of conservation on the Council thereafter, together with associated costs.

4.9 It would be possible to relocate the building to another site nearby, thereby avoiding the need to realign the side road and associated works. An alternative site has not yet been identified although there are obvious areas contained within the enclosed areas of land created by the junction design and slip roads either in the south-west or north-east corner of the junction. It may be possible to design an iconic landmark feature by imaginative use of the structure, heralding arrival at Carnoustie. Again the financial implications of such an option are discussed below.

4.10 On the advice of Mr Shepherd and Mr Addison it is not considered appropriate to consider further the option of disassembling and reassembling elsewhere as it is believed that so doing would be likely to destroy the character of the construction and that it would be unlikely to be feasible to reconstruct in the same material without significant losses and the need for incorporating much new material. This sub-option has therefore been discounted on that basis.
4.11 It was suggested by Mr Addison that consideration should be given to re-burying the structure for “rediscovery” by future generations who might be better equipped technically to benefit from its existence at that time. However given its location (half way up the side slope of the cutting) this would be likely to be a difficult and relatively costly option. In order to fully re-bury the structure it would be necessary to move the side road even further westwards in order to allow finished ground level to cover the roof of the structure. This would require greater additional land take. Alternatively extensive retaining walls would be required to contain the necessary backfill and the finished appearance would be likely to be somewhat incongruous. In summary therefore, this option does not appear to present as a satisfactory compromise. The Director of Roads has therefore not pursued this option further.

4.12 The final option of demolition after thorough investigation and recording has the advantage of enabling the construction of the works as currently planned with no significant further delay or additional cost arising. It would of course mean the actual structure itself would be lost.

5 FINANCIAL IMPLICATIONS

5.1 Option 1 – Retain in current location

5.1.1 Morgan Est have advised the Director of Roads on a verbal basis that there would be no costs arising to the Council from the realignment of the Upper Victoria link road and the associated necessary land acquisition. Confirmation of this in writing has been requested and is currently awaited.

5.1.2 Based on the information provided in Mr Addison’s report (refer Appendix 3) it is estimated that the cost of consolidation of the masonry together with erection of a canopy and securing the perimeter would be of the order of £25K-£30K. Should additional landscaping be required and the creation of a more accessible feature this would probably double the capital costs. These are capital works costs to which should be added fee costs and overheads which, for a project of this nature and scale, would be likely to be of the order of a further 15%, bringing the total estimated costs to circa £60K - £70K.

5.1.3 On-going maintenance costs would be relatively modest initially but would be likely to become more significant in time. A smoothed annual allowance of circa £3K p.a. might be realistic.

5.2 Option 2 – Relocate locally

5.2.1 Again, based on the information provided in Mr Addison’s report (refer Appendix 3) it is estimated that the cost of relocation (as a single intact structure) to a neighbouring available site would be of the order of £75K - £85K. Should it be required to create a feature site with appropriate access provision and landscaping these costs would probably double. As for option 1, (para 5.1) a further allowance of circa 15% would be required for fees and overheads, bringing the total costs to circa £170K - £190K. Again there would be ongoing maintenance costs at circa £5K p.a.
5.3 It should be noted that there is currently no budget provision for such expenditure, as outlined in 5.1 and 5.2 above.

5.4 **Option 3 – Re-bury**

5.4.1 This option has been discounted for the reasons outlined at paragraph 4.11.

5.5 **Option 4 – Record and demolish**

5.5.1 The costs associated with option (iv) would be minimal and could be subsumed within the A92 project capital provision (04/05).

5.6 While Morgan Est have shown willing to assist retention of the structure as set out in para 5.1.1 of this report, they have not offered to contribute to the capital costs identified above, (under options 1 or 2) which are therefore likely to fall entirely to the Council unless alternative sources of external financing could be identified.

6 **HUMAN RIGHTS IMPLICATIONS**

6.1 There are no human rights implications arising directly from the proposals contained in this report.

7 **CONSULTATION**

7.1 The Chief Executive, the Director of Law and Administration, the Director of Finance, the Director of Planning and Transport, the Director of Leisure Services and the Director of Property Services have been consulted in the preparation of this report.

8 **CONCLUSIONS**

8.1 Clearly there are pros and cons in consideration of the various options which have been identified and which are described and discussed in the preceding sections of this report.

8.2 There are significant health and safety issues (for public accessibility) both in terms of the structural integrity of the building structure and associated with possible contamination of the fabric of the building due to its long term exposure to the quarry backfill material. In view of this it is recommended that the structure would require to be enclosed to protect it from degradation from the elements and also to prevent public access right up to and into the building. It would need to be secured from such access, although it might be possible to enable viewing from outside an enclosure.

8.3 In its present location the structure, suitably enclosed, would lack a proper contextual setting and would not be visually appealing. The prospect of relocating it elsewhere within the vicinity of the junction to create a gateway feature is incompatible with the need to enclose and isolate the structure and would not overcome the contextual discord.
8.4 There are significant financial implications initially in consolidating and protecting the structure but also on-going in terms of maintaining and protecting it indefinitely into the future. There is no budget provision currently in place for such implications.

8.5 There are however obvious advantages in retaining the structure both in terms of its historical and heritage interest in the local area. These would be lost if the building is demolished.

8.6 Overall on balance and after careful consideration it is the recommendation of the Director of Roads that the building be demolished having first carefully recorded the details of its construction, and dimensions together with any further archaeological information which can be gathered.

Ronnie McNeil
DIRECTOR OF ROADS

NOTE:
No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

JG/JSG
4 June 2004
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