



The Scottish Parliament
Pàrlamaid na h-Alba

Jackson Carlaw MSP
Member for Eastwood

Fiona Hyslop MSP
Cabinet Secretary for Culture, Tourism & External Affairs
The Scottish Government
St Andrew's House
Regent Road
Edinburgh
EH1 3DG

11 January 2017

Dear Fiona

PENTLAND FILM STUDIOS PROJECT

I understand that the Reporter's recommendation was made to Ministers on December 20th 2016 regarding the above project. This was originally expected in June last year and therefore follows after an unexpectedly lengthy delay and a process lasting some three years.

In a week where we are celebrating the latest success for Scotland in securing filming of scenes in the new Hollywood 'Avengers' movie, it should be noted that much of the soundstage work will take place in Atlanta. Were the Pentland project to have already progressed then not only might our film industry be able to secure soundstage work on major motion pictures and international TV series but also secure the significant Scottish employment that follows; it is unfortunately the case that only a small percentage of the £300m 'Avengers' budget will be spent in Scotland as the crews will not be Scottish and nor will the pre or post production be based in Scotland.

In the meantime, I understand that arrangements have been reached in principle with various parties to establish this world leading facility at Pentland offering enormous scope for employment and the creative industries in Scotland generally, not least with the provision of a leading academic training facility at the heart of the project.

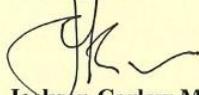
Moreover, the consequential benefit to tourism cannot be underestimated. Only this morning I note that we are able to celebrate an 11% increase in tourism to Scotland in 2016. International TV series based in Scotland such as 'Outlander' are contributing significantly to a new generation of international tourism stimulated by location work. The establishment of the Pentland site can only contribute further to this. The opportunities are enormously exciting.

Given the foregoing, I am contacting you to urge an early statement by the Scottish Government regarding its decision following the work of the Reporter and to ask you to confirm when this might now be expected.

I hope that this decision will be positive. It is undoubtedly one of the most important decisions regarding the creative industries in Scotland for many years and given the length of time involved, the many organisations and parties standing by and the huge public interest in securing a major studio in Scotland, the time has surely come to give the green light to the future of artistic talent and enterprise in Scotland.

I look forward to hearing from you in early course.

Kind regards



Jackson Carlaw MSP

Deputy Leader of the Scottish Conservatives

Shadow Cabinet Secretary for Culture, Tourism, Europe & External Affairs

Member of the Scottish Parliament for Eastwood

F: [@Jackson4Eastwood](https://twitter.com/Jackson4Eastwood)

T: [@Carlaw4Eastwood](https://twitter.com/Carlaw4Eastwood)

W: www.jacksoncarlaw.org.uk

From: Hyslop F (Fiona), MSP [mailto:Fiona.Hyslop.msp@parliament.scot]

Sent: 15 March 2017 09:45

To: Cabinet Secretary for Culture, Tourism and External Affairs

Subject: FW: Culture Minister, MSP, Pentland Studios Project

-----Original Message-----

From: [redacted]

Sent: 14 March 2017 10:51

To: Hyslop F (Fiona), MSP <Fiona.Hyslop.msp@parliament.scot>

Subject: Culture Minister, MSP, Pentland Studios Project

Dear Ms Hyslop,

I have worked in the field of Culture all my life and have been [redacted]

[redacted]
I have been following the debate of the plans for a film studio opposite Ikea at Straiton, land which has previously been mined and was green belt but no longer, and is desired by Midlothian council.

It is beyond belief that the consultation on the Pentland Studios project is still undecided, despite the elderly tenant farmer having been offered legal documentation to live in his farmhouse until his death plus being given alternative fields and compensation if he agrees to the plans. The biomass plant, if a real project for the Studios, could be denied but to not accept this brilliant project bringing so very many jobs to central Scotland at this time without using public funds would be insane and give credibility to the claims of incompetence of the SNP governance. The Film School and Digital Hub working with Napier is commendable.

[redacted]
enthusiastic about this project and would consider using this studio. I know several Scots working in Hollywood and film who would love to come home and make this a success particularly as these plans are the best on offer.

The developers are now considering withdrawing and taking their funding to another country easier to work with because of all the filibustering from the Greens (this land is going to be built on whatever happens).

As someone who loves Scotland and has supported our heritage against personal interest my whole life I do not want to find myself campaigning against indyref2 on the grounds of total incompetence with regard to culture by the SNP,

Regards,

[redacted]
Sent from my iPad

Sent: 26 September 2017 12:50

To: Cabinet Secretary for Culture, Tourism and External Affairs

Subject: Fwd: Pentland Film and TV Studio Planning Application Ref. 15/00364//PPP

Dear Ms Hyslop,

I am writing to you as [redacted] I know you are aware of our proposals but obviously not of how much detail.

For clear selfish reasons I consider it prudent to forward you an email I sent this morning [redacted] the contents of which ,I think, are self explanatory.

Again on a selfish vein I would welcome your intervention to ensure that whatever decision is arrived at by Scottish Government planners it cannot be attacked by virtue of inadequate consideration of the economic argument.

Happy to discuss further should you deem it necessary.

Regards

[redacted]

Date: 26 September 2017 at 12:31:38 BST

To: [redacted]

Subject: Pentland Film and TV Studio Planning Application Ref. 15/00364//PPP

Good afternoon [redacted]

We meet again on [redacted] together with the Scottish Government planners. I sincerely hope this will be the last meeting before we take receipt of the long awaited PPP. (now approaching three years since consultations with MLC began.)

The lack of response to my requests for a meeting to try and negotiate the wording of conditions which were acceptable to both parties ,leads me to conclude that, on Thursday, you will merely seek to defend MLC's hitherto stated position and thereby require the issue to be determined by others. (as you did with the original application)

.I would find this hugely disappointing and I could only speculate as to why you would adopt such a tactic. If my conclusion is incorrect then can I ask that you advise me accordingly ,by return, in order to avoid any unnecessary confusion.

It is a long standing opinion of mine that the Scottish planning system is often found wanting by virtue of the economic argument(s) not being adequately considered, especially at officer level. This is what is happening here.

Towards the end of last year you, yourself, used economics to justify your then intention to recommend refusal of our original application on the basis of your team's conclusion that Midlothian would benefit more from the building of the A 701 relief road than it would by allowing our mixed development. The issue of the road has since been addressed by the legal agreement and the Grampian condition . MLC now have a once in a lifetime opportunity to secure the economic benefits of both. I cannot ,therefore ,understand why you would seek to impose on us such financially onerous planning conditions (noted hereinafter) which, if accepted by SG ,would seriously jeopardise the viability of the whole development.

I think it is a given that SG ministers nominated our project as being " of national importance" largely on the strength of the economic case and I am confident that they will be sympathetic to our view.

If I step out with [redacted] and view this situation as a patriot and a lover of the performing arts then I am bound to consider it to be potentially

nothing less than a national scandal.

The bottom line is this. If your team's restrictive conditions (particularly those which seek 1.0 ;to have us remediate the north backlot before we can progress with uses beyond the studio and 2.0 ;to prevent us from progressing other uses until 50o/o of the total film studio development is occupied and the remainder is under construction) are indeed attached then the implications are likely to cause the development to fail. The ramifications on the cash flow alone would not be manageable. Property development is a risky and challenging business and we require the inherent flexibility normally provided within a PPP to steer a path through.

I reiterate that we would consider the imposition on us of your proposed conditions to be onerous in the extreme, totally unreasonable and indeed, if I may say so, somewhat vexatious. We will make our representations to SG planners accordingly.

In a final attempt to convince you to reconsider your position I would ask if you are aware of the significant impact the creation of a film studio has had on the economy of Georgia in the USA?

Pinewood Studios were consultants on the creation of a new studio complex in Atlanta which opened in 2007 and the attached document illustrates the impact of the studio on the Georgia economy over a seven year period.

Part of this impact is that on Savannah College of Art and Design and Georgia State



You may also be aware of the recently published " Independent Review of the Creative Industries in the UK" by Sir Peter Bazalgette which concludes that the value of the creative industries in the UK could be some ?130 bn by 2025 with an additional 1 million jobs by 2039

After a decade of abject failure Scotland must now ensure that it gets its share of this. Accordingly I have attached the links to this report and to recent press coverage.

I would therefore request that you take cognisance of the potential impact our development could have, not only on Midlothian but on the whole Scottish economy and temper your engagement with the Scottish Government with this in mind.

I am looking forward to our meeting and trust that a satisfactory outcome can be achieved.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/646459/2013-E_Creative_Industries.pdf

https://www.screendaily.com/news/uk-creative-sector-report-calls-for-500m-regionalfund/5122602.article?utm_medium=email&utm_campaign=UK%20%20Europe%20Daily%20Sept%2022&utm_content=UK%20%20Europe%20Daily%20Sept%2022+CID_c4fe8bf734ad12314b7500e1292cc772&utm_source=Newsletter&utm_term=UK%20creative%20sector%20report%20calls%20for%20500m%20regional%20fund

Sent from my iPad

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Economic impact of Georgia's film industry

Feature films and television productions generated an economic impact of \$6 billion during fiscal year 2015, with 248 feature productions shot in Georgia spending \$1.7 billion. Compare that to previous years.

In 2008, when the state legislature passed significant tax incentives, film and television crews were lured to Georgia. The numbers of productions based here have increased steadily since, but as strong as that growth has been, it could be even better by adding one element into the mix.

"Our main growing pain is that we don't have enough crew to staff all the shows that want to come to Georgia," said [Lee Thomas](#), deputy commissioner of the state's Film, Music and Digital Entertainment office in the **Georgia Department of Economic Development**.

"Studies have shown that we need sound, grip, assistant directors, script supervisors and people who can work in accounting. The film industry also needs hairdressers, carpenters, electricians — all kinds of people."

Some of those skilled workers have moved in from the West Coast and surrounding states where film industries have contracted. But a significant demand still exists. To fill those slots, universities and colleges around the state have scrambled to establish or enhance courses that give students the specific training they need to segue smoothly from the classroom to the set. At Columbus State University, the communications department saw the need five years ago and began adding and tweaking courses that give students foundational skills

"We read the economic trends," said [Danna Gibson](#), who chairs the school's communications department. "And we knew we were in a great place to offer these programs."

The intensity level stepped up in the spring semester of this year when Columbus teamed with the **Georgia Film Academy**(GFA) as one of its statewide partners offering 18-hour courses in film production. The classes are open to current students as well as anyone outside the university who wants the certification.

"We had eight weeks to get it done for spring," said Gibson. "Within the first few days, we filled the first class with 20 students and opened a second. It's demonstrated how great the need is."

GFA has developed similar partnerships across the state's network of universities and technical college, said GFA Executive Director [Jeffrey Stepakoff](#), a veteran Hollywood writer, author and instructor who took the leadership role 11 months ago.

"The first part of our mission is getting everyone on the same page," he said. "We're a collaborative effort, so we're using existing resources where they are. We're also focused on building sustainable businesses that support Georgia's film and television industry."

Georgia is now in third place in the U.S. and fifth in the world for film and TV production, said Stepakoff. "In 2007, we had \$242 million in economic activity around film and television productions. In 2015, it was \$6 billion. That's a 2,500 percent increase that's put 100,000 Georgians to work."

Currently, most of the job demand involves painting and construction, electric/lighting and grip (setting up equipment to hold lighting and gear), as well as accounting, script supervision and special effects (creative types who can make Styrofoam pass for brick).

"GFA doesn't want Hollywood to feel they have to fly people in to paint or rig our sets; we're meeting those needs," said Stepakoff. "And to ensure this business is permanent, we're deeply committed to training film and television writers and producing their work. We want to create the work of Georgians and don't want them to feel they have to do what I did: get training, then rush off to Hollywood."

Courses through GFA are about \$750 per term, with books or tools supplied and no fees. They're led by industry experts on campuses as well as at the Academy's sound stage across the street from the Pinewood Studios in Fayetteville. This fall, that location will offer eight sections of its introductory, hands-on fundamentals course. After a second course and an internship, students are ready to work.

"We're not training in theory; we're teaching to a discernible, quantifiable need," said Stepakoff. "Then we tell the unions and the industry, 'This student is certified to go to work on set.'"

Initiatives to boost the workforce are also underway at the **Savannah College of Art and Design** campuses in Savannah and Atlanta. Last year, the digital media center on the Midtown campus was expanded as part of an undergraduate program in film and television — the same

program that's been offered on the main campus for 15 years.

"Atlanta is exploding in this area, and we see tremendous opportunities for our students," said **Gregory Beck** of SCAD's School of Entertainment Arts. "Though we've largely focused on film in the past, we now have a major push to television production. Our students are learning by producing a sitcom every quarter, and it's a great way for them to realize the many ways you can be involved in production."

The goal at **Georgia State University** is to create an arts district to feed industry needs, much as Georgia Tech developed the Technology Square concept close to its campus. GSU's arts district centerpiece is the Creative Media Industries Institute (CMII), designed to cater to the roughly 6,000 students at GSU's downtown and Perimeter campuses who are majoring in graphic arts, film, creative writing and other arts/media fields.

"Our goal is not to reproduce the film or music industries' programs," said **David Cheshier**, CMII's director. "We're creating an inter-disciplinary, one-stop shop to connect students to career pathways in the creative content industries. Right away, we're focusing on connecting to social media, game design and the application development world and a workforce development initiative to prepare them for the film and music industries."

The institute will be based in a new DIY space designed to resemble a glass cube on the corner of the 25 Park Place building. "Students interested in animation often want to find ways to prototype their characters," said Cheshier. "This will be their networking space and give them access to the equipment to make their projects a reality."

GSU's location — "we're parked right in the middle of the growth," said Cheshier — lends itself to being the anchor of an arts district. "I keep reading that there are 300 music recording studios in the metro area, but it's hard to know where they all are," said Cheshier. "We're hoping our location will put us on the map as a place where creativity is nourished and media made."

08/06/17

From: [REDACTED]
Sent: 22 November 2017 08:41:09
To: Public Engagement Unit
Subject: FW: Correspondence - Note of Intention for Power Station / Film Studio & [REDACTED] at the Hands of Scottish Government

Attachments: Ltr to N Sturgeon Financial Scrutiny of proposed film studio at Old Pentland [REDACTED] 2017-11-22 FINAL.pdf

Hi

For MACCS please.

[REDACTED]
Private Secretary to Kevin Stewart, Minister for Local Government and Housing
0131 244 4425
[REDACTED]

From: [REDACTED]
Sent: 22 November 2017 06:01
To: [REDACTED]; Chief Planner; Minister for Local Government and Housing; First Minister; Cabinet Secretary for Communities, Social Security and Equalities; Cabinet Secretary for Culture, Tourism and External Affairs; Cabinet Secretary for the Environment, Climate Change and Land Reform; Cabinet Secretary for the Rural Economy and Connectivity; Scottish Ministers; Cabinet Secretary for Finance and the Constitution
[REDACTED]

Subject: Correspondence - Note of Intention for Power Station / Film Studio & [REDACTED] at the Hands of Scottish Government

For the attention of: Ms Sturgeon / Kevin Stewart / John McNairney also cabinet secretaries as above.

Please find attached letter of concern to Note of Intention report issued April 2017 regarding power station / film studio at Old Pentland.

I have copied in Cabinet Secretaries who's portfolio relates to the above potential development.

It would be appreciated that I receive acknowledgement of receipt from all who have been emailed this correspondence.

Regards

[REDACTED]

This email has been scanned by the Symantec Email Security.cloud service.
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22 November 2017

Site B – Unstable landfill site – Part of proposed development called in by Scottish Government on grounds of NATIONAL IMPORTANCE for Power Station / Film Studio

Dear Nicola Sturgeon / Kevin Stewart / John McNairney

Notice of Intention

DPEA Ref: PPA-290-2032 - DPEA case reference for proposed Film Studio / Power Station at Old Pentland

With reference to my further letter of concern dated 2 October 2017 to Cabinet Secretaries, Kevin Stewart and John McNairney regarding the note of intention report for the above dated 3 April 2017. I would question whether the Scottish Government carried out a developer background and financial check prior to issuing a Notice of Intention for a 'nationally important' mixed used development including power station and film studio. Planning matters do not explicitly require consideration of such matters however Scottish Minister themselves chose to call in this application as a matter of 'national importance' from their previous decision to refuse the call in of this appeal. As such one can assume a stake should be placed on the financial likelihood of such a 'nationally important' mixed development actually taking place as well as the background of those expected to deliver the proposal. Note this is within the context of this application being opposed by local residents, the local community council, the local authority as well as the designed Reporter who advised this appeal should be rejected.

Ms Sturgeon, as First Minister for Scotland you will now be fully aware an application for resumption has been lodged by the landowner (Pentland Estate) for No. 1 and No. 2 Smallholdings (Site A). The primary supporting documentation for this application is the Note of Intention issued by Scottish Ministers and ██████████

Therefore, I direct my continued questioning of the above questionable appeal in the first instance directly to yourself, then your cabinet secretaries / minister who being accountable for the flawed note of intention issued 3 April 2017.

When Scottish Ministers took the step to intervene based on 'national importance' resulting in a decision to issue a Note of Intention to grant said planning in principle, to remain transparent, fair and open was a purchaser / developer scrutiny check undertaken to ensure the robustness of the proposals financial viability undertaken at the point of issuing the note of intention? To support the Scottish Ministers decision.

It should be noted that this proposal previously failed to meet the criteria set out by the Film Studio Delivery Group resulting in refusal being issued 4 February 2015. Question S4W-27408 – the 2 main reasons for this proposal being rejected has not changed

You are now very much aware that Clippens Development Ltd ██████████ being a trustee of Pentland Estate at 23 May 2001 (Item 1 page 6 covers) has signed missives with the landowner (Pentland Estate) to purchase No. 1 and No. 2 Smallholding. I again question and would seek clarity if the Scottish Government has actually carried out at the very least a basic financial check on this £250m proposed development. If this has been carried out you will already be aware from Companies House the following:

Clippens Development Ltd – Company No: 276494 Date of Incorporation: 25 November 2004
Nature of Business: Development of building projects Director: ██████████
Accounts for a dormant company: Balance sheet as at 30 November 2016 - Cash at bank and in hand £1

Ltr to N Sturgeon Financial Viability / Scrutiny of proposed Power Station / Film Studio ██████████ – FINAL 2017-11-22

RESTON DEVELOPMENTS LIMITED (SC304562)

Date of Incorporation: 27 June 2006

Director: [REDACTED]

Dissolved on: 28 November 2015

Nature of Business: Buying and selling of own real estate

3 charges registered: 2 outstanding, 1 satisfied (2015-09-16), 0 part satisfied

Administration started: 20 December 2012

Administration ended: 26 August 2015

- 5.2. We understand that the Bank is the first ranking security holder per the Ranking Agreement between the Company, the Bank, and Reston and Berwick Farming Company Limited, agreed in September and October 2006.
- 5.3. It is estimated that the Company owed the Bank c.£1.75 million upon our appointment.
- 5.4. Following the completion of the sale of the Site for £225,000, a first distribution of £120,000.00 was made on 12 February 2015 to the Bank as first ranking security holder. A final distribution of £44,267.37 was made on 19 August 2015 to the Bank, subsequent to receipt of a final VAT claim.
- 5.5. There will be insufficient funds available to make a distribution to Reston and Berwick Farming Company Limited as second ranking security holder.
- Preferential creditors**
- 5.6. The Company had no employees upon appointment and therefore there are no preferential creditors.
- Floating charge creditor**
- 5.7. The Company granted a bond and floating charge to the Bank over the Company's business and assets on 13 September 2006, registered on 23 September 2006.
- 5.8. We are currently unaware of any floating charge assets and, accordingly, there will be no funds available for distribution to the Bank under their floating charge.

Reston Developments Limited SC304562

PSL Land Ltd – Company No: SC491629

Date of Incorporation: 19 November 2014

Next Accounts Due: 31 August 2017 – **OVERDUE**

Last Accounts made up to 30 November 2015: (£164,779)

Nature of Business: 68100 - Buying and selling of own real estate

Note: [REDACTED] (Director of Clippens Development Limited) was terminated as Director of PSL Land Ltd 31 August 2017, although remaining a shareholder.

It is therefore of great concern that:

- Ministers accept that the proposal is contrary to the provisions of the MLP in terms of development in the greenbelt/countryside location in that it doesn't meet the necessary criteria.
- Ministers consider there are material considerations, relating to the socio economic benefits of the proposal on a local and national scale, that carry sufficient weight to justify a decision that is not in accordance with the MLP.

As I have previously stated, not only has the Scottish Government issued a flawed note of intention on 3 April 2017 (letter date 2017-10-02 covers) but Scottish Government have no guarantee that this controversial appeal can be developed.

The landowner previously made a crude attempt to evict a member of the [REDACTED] family from No. 2 Smallholding, Old Pentland letter dated 21 February 2000 states "Our purpose in writing to you is to ask that you *remove voluntarily from said property and we would be prepared to allow you a period of fourteen days* within which to do so. Should you fail to remove voluntarily, then we shall have no alternative but to raise a Court action against you for removal." This evidence is available if required. This being a blatant disregard for the relevant smallholding act or the tenant.

The site selection matrix was falsified to create an illusion that the Old Pentland site was the preferred site specifically stating that the land was available as 'immediate', high pressure gas supply in situ, no mention of proposed A701 realignment, etc, etc. My letter to DPEA dated 29 September 2016 covers all points.

It has at no time been proved that this development could not be built in another less contentious / appropriate location. I again ask why were these falsifications created but more importantly why is Scottish Government not supporting the judgement of the designated professional reports, the local authority, local community council and local community in rejecting this proposal. I ask again for transparency and integrity purposes has the Scottish Government conducted a financial scrutiny check on the developers / applicant / appellant?

I would acknowledge the fantastic recent announcement made by Wardpark Studios, Cumbernauld to expand production facilities in 2018, transforming it into a major international film studio. With this most recent expansion proposal for Wardpark Studios at Cumbernauld the studio will be comparable / exceed the criteria set out within the EKOS Delivery Options for Production Space for Film and TV Report 2014 for a National Studio.

Further Film Services Ltd, Livingstone have progressed their film studio development in 2016 by adding 4,000, 10,000 and 15,000 square foot soundstage with a 35,000 square foot backlot.

Within the film making industry questions are being posed, resulting in a film professional investigating this controversial proposal – *'Filmmakers urged to drop support for Pentland Studio plan'*, it is extremely unpalatable that an unnecessary eviction is progressing when Scotland already has the 'National' film studio at Wardpark on developed land, without the despicable act of an eviction
<https://theferret.scot/pentland-film-studio-plan-delays/>

Supporting Statement from Pentland Studios dated 1 May 2015 states:

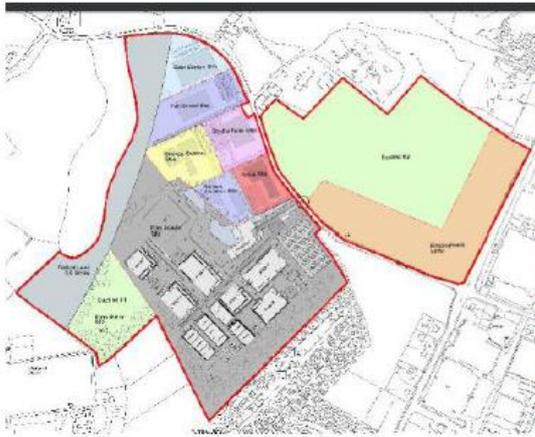
The proposal in the emerging Local Development Plan for the realignment of the A701 through the site would cause the viability of the project to be fatally damaged. The Film & TV studio cannot co-exist with the physical effects of the proposed line for the following reasons:

- road would create planning blight
- The road line is not fixed and could be relocated to the west of Cameron Wood..
- The backlots require to be sound protected for outdoor filming and the noise from the road would form an unacceptable background.
- The amount of land lost to the road would mean that 'Phase 2' could not be built, thus putting into jeopardy starting development on 'Phase 1' of the proposals, without the prospect of completing the development.

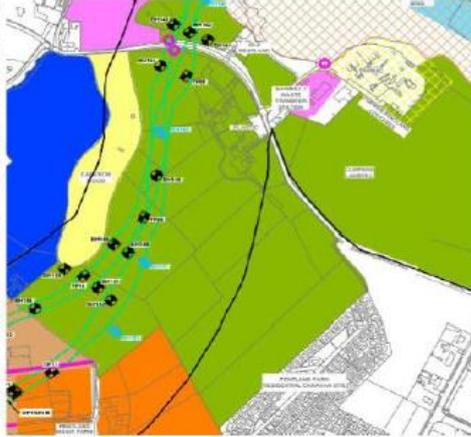
And yet knowing that the proposed film studio could not co-exist with the proposed A701, Scottish Ministers give a Note of Intention subject to 'conditions in relation to the proposed location of the A701 Relief Road – Item 18 covers within Note of Intention report.

Over the page is the master plan for the film studio and the proposed options for the realigned A701. It is clear to see that these options will take in far more land that has been allocated on map 1, and at this stage it is very much unknown if the proposed road would engulf more land than originally anticipated. Intrusive ground investigation works along the proposed routes will take until June 2018 to complete. It is only at this stage will the relevant and factual information on the proposed A701 be available to base any informed decision. Therefore any decision to potentially pass this proposed development is premature in nature. However, Ministers state 'the potential for significant socio-economic benefits arising from the proposed development outweighs any dis-benefits of the development. There is no socio-economic benefits - **IT HAS BEEN STATED THE FILM STUDIO CANNOT CO-EXIST WITH THE ROAD.** Knowing this being the case on what socio-economic grounds has the Scottish Government issued the Note of Intention on?

Map 1 – shows masterplan with area marked as fallow for proposed A701. This shows that the allocated space is clearly insufficient for the proposed road development so much so that the land allocated to the ancillary buildings required to make the proposal viable would be absorbed for the proposed road.



Map 2 – proposed A701 options at an early stage of investigation, work due for completion June 2018



I have raised concern on numerous occasions regarding the inconsistency of the applicant and appellant in this case. Letter dated 9 January 2017 clearly highlights the legally unrelated entities of Pentland Studios Ltd, the applicant who submitted the original pre documentation and application for PPP dated 5 May 2015 to Midlothian Council and PSL Land Ltd, the appellant who submitted appeal documentation to DPEA on 3 December 2015. Under **Section 47(2) of the Town and Country planning (Scotland) Act 1997** only Pentland Studios Ltd should legally have the ability to appeal the above application. While Scottish Ministers seem to have a different interpretation of this act it is clear *only* the person lodging the application has the right to appeal the decision.

Further the response to this letter received from the Scottish Government stated,

"It is not considered that any such discrepancy has undermined the substantive consideration of the application or has given rise to any unfairness to any parties to the process."

I cannot be any more clear in stating the failure of Scottish Ministers to stick to the specific conditions within Section 47(2) of the Town and Country planning (Scotland) Act 1997 has directly and unequivocally allowed the landowner to begin legal proceeding for [] eviction.

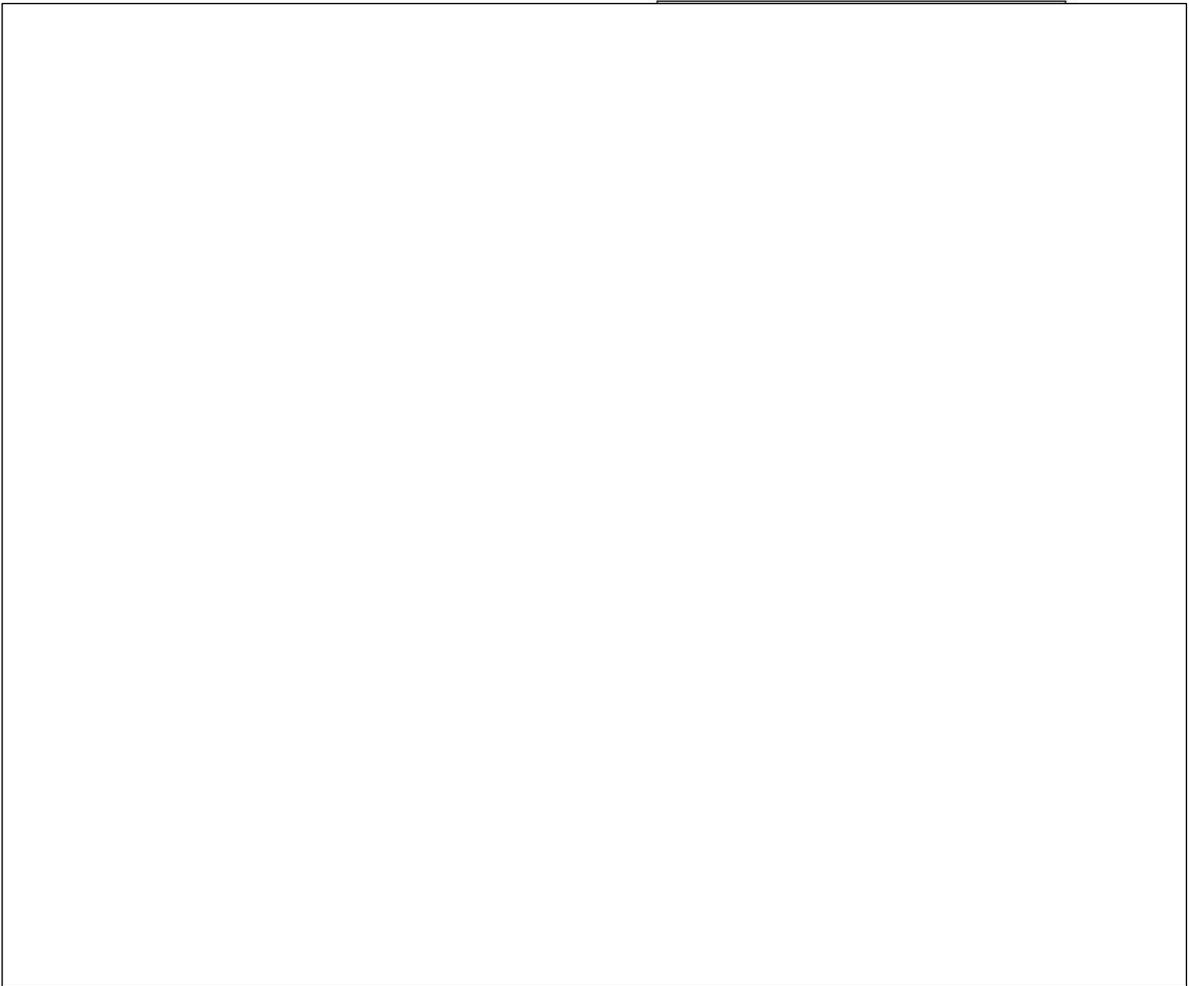
I am alarmed that Scottish Ministers are seemingly progressing with the contentious and flawed appeal, knowing that this development *'cannot co-exist'* with the proposed A701, further *'The amount of land lost to the road would mean that 'Phase 2' could not be built, thus putting into jeopardy starting development on 'Phase 1' of the proposals, without the prospect of completing the development.'* We are being advised at the initial stages that this project of 'National Importance' is destined to fail, however, Scottish Government knowing this is recommending granting of planning in principle.

To support [] for a proposal which you cannot guarantee delivery of is at the very least unsavoury. Moreso, when Scotland is in a position to declare that Wardpark is transforming into our major international film studio.

Yours

[]

ITEM 1



Your ref/Ur faidhle: ZA0871
Our ref/Ar faidhle: 2016/0002390
7 February 2016

Dear Patrick

Thank you for your email on the 28th of January from your constituent [redacted]

[redacted] regarding a film studio for Scotland and the wider impact on the economy that film production can bring.

As you may be aware, I established the Film Studio Delivery Group (FSDG), comprised of officials from the Scottish Government, Scottish Enterprise and Creative Scotland to pursue the delivery of enhanced studio infrastructure for Scotland. I appreciate the screen sector has been patient about this work, but can assure you that the FSDG is continuing to work incredibly hard, in complex and challenging territory, to deliver a positive outcome that satisfies EU State Aid regulations and the requirements of all relevant public and private stakeholders.

Your constituent mentions both the Wardpark studio at Cumbernauld, which is currently fully occupied by Sony/Starz as they continue to film Outlander and the studio facility being pursued by Pentland Studios Ltd at Straiton in Midlothian. The Scottish Ministers have called in the planning appeal by the company for the site at Straiton but as this is a live appeal, it would be inappropriate for me to say any more on this at this stage.

I want to assure you and your constituent, that I am committed to ensuring that the screen sector in Scotland is supported by the public sector to grow and develop to ensure it meets its fullest potential. That is why I have announced an additional £4.75 m of public sector support in 2015. These new funds were £2m for a Tax Credit Loan facility, a £1m Screen Sector Skills Fund and £1.75m for a Production Growth Fund. These were all developed to ensure that, in addition to Scotland's stunning locations and talented crew, that there are increased incentives for producers both domestic and international to locate and film in Scotland.

Kind regards

Fiona

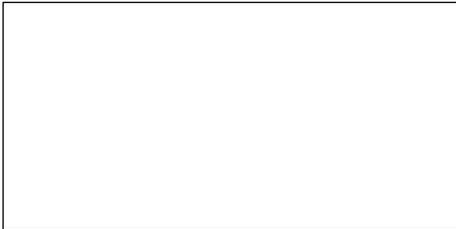
FIONA HYSLOP

Cabinet Secretary for Culture, Tourism and External
Affairs
Fiona Hyslop MSP



Scottish Government
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T: 0300 244 4000
E: scottish.ministers@gov.scot



Our ref: 2016/0023432
23 July 2016



Thank you for your recent correspondence, addressed to myself and to my ministerial colleagues, which sets out the support of the Association of Film and Television Practitioners Scotland (AFTPS) for the Pentland Studios Ltd proposal. I have been asked to reply.

The Scottish Government shares the ambition of the AFTPS for Scotland's screen sector and has been working hard with relevant bodies to create the conditions within which our screen sector can grow.

As you are aware the planning application for the Pentland Studio facility is currently at appeal with Planning and Environmental Division (DPEA). The Scottish Ministers have issued a recall direction in this case and this has set in train a formal process. It is precisely because this process is in train, that the Scottish Ministers are unable to comment, at this stage, on the merits of the application.

The reporter appointed to hear the appeal will consider the evidence submitted by the appellant, the council, key agencies and members of the public who have made representations opposing or supporting the proposal. The reporter will reach conclusions about the potential impacts and benefits of the proposal, will assess these against the relevant planning policies at national and local level and will complete a report which will set out a recommendation to Ministers. Until that process is complete and all those who have an interest in the proposal have had an opportunity to put their case to the reporter, it would be inappropriate and indeed, contrary to the legal principles that govern the conduct of planning appeals, for Ministers to offer any comment on the application. I am sure that you will understand the reasons for this.

St Andrew's House, Regent Road, Edinburgh EH1 3DG
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With reference to Wardpark Studios, this Government, in partnership with Creative Scotland and Scottish Enterprise, have been clear that this development constitutes just *one* of the key areas of activity with regard to securing permanent screen facilities for Scotland. The Wardpark development is good news for Scotland and the new studio space will make a valuable contribution to the overall health and capacity of Scotland's screen sector.

As we have previously stated, we believe that Scotland can secure the work to fill more than one permanent facility and our support for the Wardpark development should be seen in the context of our on-going support for Scotland's screen sector and not as an end in itself. I should also emphasise at this point that the Scottish Government is not procuring a film studio and we continue to welcome proposals from private sector developers that are state aid compliant.

I welcome your passion and your commitment to growing Scotland's screen sector. I understand that officials offered to meet you, and your fellow AFTPS representatives, to provide you with factual briefings on the planning process that is currently in train with reference to the Pentlands proposal, and the wider rules and regulations that we must work with regarding state aid. I also understand that you have already had conversations with officials in this regard which I hope you found helpful.

Kind regards
Fiona Hyslop

FIONA HYSLOP

Cabinet Secretary for Culture, Tourism and External
Affairs
Fiona Hyslop MSP



Scottish Government
Riaghaltas na h-Alba
gov.scot

T: 0300 244 4000
E: scottish.ministers@gov.scot

Mr Jackson Carlaw MSP
The Scottish Parliament
EDINBURGH
EH99 1SP

Our ref: 2017/0001669

2nd February 2017

Dear Jackson

Thank you for your letter on the 11th of January regarding the planning appeal relating to the Pentland Film Studios Limited (PFS) proposal for a mixed-use development which includes an education centre, student accommodation, a hotel, data centre, energy centre and a film and television studio.

It is inaccurate to say the Scottish Ministers are responsible for the time taken to produce the report and recommendations on the appeal that the Scottish Ministers received in December 2015. The DPEA found that the information provided by the appellant was insufficient and had to request further information on the effects on bats, the environment and noise, road infrastructure and site selection.

The last of this information was submitted at the end of July 2016. Thereafter, parties had the opportunity to comment and final submissions were received mid-November. DPEA submitted the report to the Minister for Local Government and Housing on 22 December.

The independent report is being considered at present by the Minister for Local Government and Housing, who has portfolio responsibility for planning and his decision on the outcome of the planning appeal will be published as soon as possible. However, I am sure you will understand that, given the appeal is currently under consideration in the statutory planning process, Ministers cannot comment on the specific merits of the proposal, as that could be prejudicial to the final outcome of the decision making process.

*Kind regards
Fiona*

FIONA HYSLOP

Minister for Local Government and Housing
Kevin Stewart MSP



T: 0300 244 4000
E: scottish.ministers@gov.scot

Ms Angela Constance MSP
Constituency Office
Unit 4
Ochil House
Beveridge Square
LIVINGSTON
West Lothian
EH54 6QF

Our ref: 2017/0012367

25 April 2017

Dear Angela,

Thank you for your e-mail of 27 March 2017 to the Cabinet Secretary for Culture, Tourism and External Affairs regarding correspondence from your constituent [redacted]

[redacted] I am replying as I have responsibility for the planning system in Scotland.

I note [redacted] comments in relation to the Pentland proposal and should firstly explain that Ministers' have a general power to intervene in any planning application or planning application appeal, but exercise this power very sparingly and only in cases where there are issues of genuine national as opposed to local significance.

In most cases, the determination of planning appeals are delegated to reporters' from the Planning and Environmental Appeals Division (DPEA). However, the Pentland planning application appeal was recalled for ministerial determination as Ministers considered the potential economic and cultural benefits associated with the proposal to be an issue of national importance. A report was subsequently submitted to Ministers by DPEA on 22 December 2016 for their consideration.

I can confirm that Ministers have considered the appeal fully and are 'Minded to Grant' planning permission for the proposal, subject to the satisfactory conclusion of a legal planning obligation. The next steps will involve both the planning authority and developer agreeing to discharge this planning obligation before Ministers can issue a formal grant of permission in principle for the proposal.

I attach a [link](#) to copies of Scottish Ministers Intentions letter of 3 April 2017 and the associated report for your information.

I should also explain that Creative Scotland continue to work tirelessly to develop and convert studio spaces in Scotland and to attract overseas film developers to Scotland. mentions the Outlander and Marvel productions shooting on location in Scotland this year. These are two of a number of productions that Creative Scotland have helped to bring to Scotland. Creative Scotland also have a dedicated Locations Service through which they assist incoming productions to find locations and studio space. I include a link to their website here:

<http://www.creativescotlandlocations.com/>

In addition to this service there are a number of studio spaces in Scotland that Creative Scotland actively market to film productions. I include a link to the brochure here:

http://www.creativescotland.com/_data/assets/pdf_file/0003/35067/BuildspaceMay2016.pdf

*Yours aye,
Kevin*

KEVIN STEWART