

The George Cinema – owners' appeal is rejected

The owners of the George Cinema in Portobello lodged an appeal to the Government Reporter following a decision by Historic Environment Scotland (HES) who refused to delist the Category C building, but the appeal has been rejected.

Buckley Building UK Ltd which owns the property and wants to demolish the former cinema and develop the site for housing appealed on the basis that HES had “failed in a material respect to follow its own procedures, erred in law in the application of the guidance, left material issues out of account and reached conclusions which are irrational”.

In August 2023 the developers made an application to HES to remove the building from the statutory list as a Category C building and that application was refused. [The Government Reporter has decided that the appeal against that decision is invalid](#) as the Reporter has no jurisdiction to consider it.

It is the view of the Planning and Environment Appeals Division (DPEA) that the owners Buckley had no statutory right to require that HES review the listing. What the owners can do is for example apply for consent to do works on the building, and if they are not happy with the decision on that then an appeal would be permissible. But an appeal against the decision about listing is not permitted.

The owners argued that the building is not a “rare survival” and the interior embellishments are “unauthenticated, of low quality, distressed and not visible”. They further stated that the only reason this building is prominent in Bath Street is that it is a ruin.

On 9 January the Planning and Environment Appeals Division (DPEA) wrote to the applicants first advising that their appeal was in order and that HES had 21 days within which to reply, but in a letter addressed to the owners on Monday the Government Reporter advised that the appeal has been judged not valid.

[The Friends of the George](#) was established in 2016. The steering group includes a range of people largely from the Portobello community who share a passion for the building and for the art of the moving image. They come from a diverse range of professional backgrounds including conservation architecture, arts management, acting and screenwriting, branding and communications, cinema programming and development, education and financial strategy.

Mikey Davidson, Chair of Friends of The George which was established in 2016, said: “The question of the viability of repair and retention of the building is a matter that’s been exhaustively examined over the past few years in the context of two failed Listed Building Consent applications and their subsequent Appeals. Each time the local authority and the DPEA have determined The George is not beyond repair and retention.

“In the meantime, it is sad and disappointing that the owner continues to allow the condition of building to dilapidate.

“As HES have affirmed, the former cinema remains of special architectural and historical interest, we have a positive plan to bring it back to life and we hope that the building’s owner will engage with us to help realise this vision.”

Buckley Building has been asked for comment.

