



Observations and comments from The Cockburn Association

Policy and Sustainability Committee – 28 May 2020

The following is a letter sent to all members of the City of Edinburgh Council's Policy & Sustainability Committee, which was copied to the City Centre Ward Councillors. It addresses two items on the Agenda of the Committee – the Winter Festivals Consultation proposal and the proposed deferral of the Summer Sessions Concerts.

“Ahead of Thursday's Policy & Sustainability Committee, the Association would like to offer some comments and observations on two of the substantive issues in front of the committee.

Winter Festivals Consultations

This was promised by the Leader of the Council following the serious issues that arose with the Council's contractor and the lack of planning consent for the Christmas Market. We welcome the intention to conduct this consultation but believe strongly that it should also cover this year's Festivals, if they are able to operate at all, given the likely continuation of Covid-19 social distancing protocols for an extended period of time

Strong consideration should be given to establishing a wider consultation forum with membership taken from groups suggested in para. 4.5. This would be additional to the All-Party Oversight Group and would ensure transparency of the process.

We would also ask that a separate exercise be conducted in parallel to this public consultation. This should seek to analyse and test the validity of the assertions made in Council committee reports, and in the media, as to the audience attendance figures and economic benefits accruing to Edinburgh from Winter Festivals-related activities. The outcome of this exercise should be made available as part of the public consultation.

As an aside, given that planning consent was not obtained (and no application has yet been made), we question the validity of current contractual arrangements, which would usually expect the contractor to have all necessary permissions in place. To not do so can be considered a breach of contract.

Deferral of Edinburgh Summer Sessions

A significant issue for the City and the Cockburn is the continuing commodification of Edinburgh's public spaces for private and restrictive events. Princes Street Gardens – both east and west – are Common Goods assets. They are owned by the citizens of the City; the Council's role is simply to oversee the day-to-day care of these public greenspaces.

Questions arise over the scale of the Summer Sessions concerts, the duration of the event and the significant levels of development associated with them including enhanced stage and production

facilities as well as the substantial hospitality provisions. These events often exclude the public from many parts of the gardens for increasingly significant periods of the year, coinciding with times when demand for access to green spaces is at its highest.

The total time required to set up and take down the various structures suggests to the Cockburn that planning consent might be required (if total period of occupation is greater than 28 days). We ask that the Council assesses this issue in detail and either requires the operator to submit a planning application timeously or puts in place strict contractual requirements that site occupation must be less than 28 days. It should be unnecessary to point out that planning permission and all other arrangements must fully comply with social distancing requirements for attendees, surrounding stakeholders and in respect of access and transport issues. Penalty clauses should be in place to help ensure compliance. The Chief Planning Officer should be asked to determine this issue and advise the committee and the public as a matter of urgency.

The Cockburn is most concerned about the clear conflict of interest the Council has in this matter. Para 6.1 highlights the fact that the income generated from allowing a Common Good Asset to be used for a restricted-access commercial event goes to the Place Directorate, which is also responsible for statutory planning functions as well as the management of Parks and Gardens. We are troubled by this fiduciary conflict of interest. It unfortunately reinforces wider negative public perception that there is too close a relationship between CEC officials and the external commercial event promoters, an association which is felt by many local residents to be a key driving force behind the increasing commercialisation of our City's green spaces.

This relationship is further highlighted by para 4.4 with its assumed and untested assertions of the value of the Summer Sessions concerts to the City. We ask for an independent analysis of the actual value to the city including the displaced economic costs that result from the pop-up bars and food outlets that compete directly with Edinburgh businesses who will struggle to operate in the current economic climate against such unfair competition.

Finally, we ask that the promoter be required to meet the conditions of ISO20121 – Sustainable Events.”

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