



**The Community Council represents the views of local residents to Edinburgh City Council**

From : Richard Price – NTBCC Planning Convenor  
2 Bellevue Terrace  
Edinburgh  
EH7 4DU

28<sup>th</sup> October 2022

Benny Buckle,  
Planning Officer (Assistant Planner),  
The City of Edinburgh Council,  
Waverley Court,  
East Market Street,  
Edinburgh, EH8 8BG

Dear Mr. Buckle,

**22/04917/FUL Temporary use of public gardens /hardstanding for big wheel /associated rides /attractions (5 No.); including carousels /fun flyer /techno base; food /craft concession stall; public toilet /waste facilities; entrance features; boundary treatment; ancillary offices /stores; info signage. Maintenance of pedestrian routes. Temporary /recurring for 5 years. East Princes Street Gardens Princes Street Edinburgh**

Although the application site resides just within the boundary of the Old Town Community Council, the New Town & Broughton Community Council (NTBCC) has been involved in many discussions regarding East Princes Street Gardens and the proposals for the Edinburgh Christmas Market with other city centre community councils as well as The Cockburn Association in previous years; and as such, would wish to submit a representation on this application.

The community council is fully aware of the significant challenges in delivering this year's Christmas Market – primarily due to the apparent failed procurement exercise with Angel Events which then resulted in reneging on their previous contractual commitments (although the full details of this have not been made available to the wider public by Edinburgh Council to date).

However, as a corollary to comments on this specific application, it would be appropriate if the issues that resulted in Angel Events withdrawing from the contract could be reviewed as soon as possible given the ongoing controversy with the Winter Festival process. We would support the Cockburn Association's stated position that an independent process should be initiated looking at the failure(s) of the procurement process as this is essential for both the public and elected

Councillors to better understand the issue , and to provide the necessary insight to determine an appropriate way forward for any future Winter Festivals beyond 2022.

In common with others (including the recent consultation submission from the Council's Parks & Greenspaces), we also strongly support that given the current circumstances, that **any approval should be for one year only (being 2022/23)** and not for the duration as currently requested. This would allow a more in-depth discussion in early 2023 between the new provider (potentially Unique Assembly) and key stakeholders to develop and agree a sensible and supportable site plan and operating strategy for subsequent years. There is no justification now, given the changed circumstances, for a five (5) year duration as that is neither appropriate nor supportable given the recent changes.

However, we do acknowledge the challenges that the newly-formed operator / provider (Unique Assembly) face in attempting to bring forward a very late planning application for this event. It is unfortunate despite various consultations carried out by Edinburgh Council that this process seems 'very last minute'; such that responders may be conflicted in providing negative comments to what has been proposed, as they would not want to prevent some form of Christmas activity to take place and may be supportive, in principle, of appropriate and well-defined temporary facilities to support an Edinburgh Christmas event, whilst having some misgivings as to the detail of the current application.

The community council does recognise both the popularity of the Edinburgh Christmas event historically and their contribution to the vibrancy of the city centre in past years as well as anecdotal support from Edinburgh residents (& beyond) outwith the city centre. However, we also share the view frequently expounded that the Christmas 'Market' has increasingly become a major commercial event rather than a cultural activity and that it has changed from a German Market that occupied the Mound in previous years with largely authentic products and produce (which we supported) to a more disruptive, generic event that imposes significant restrictions on local residents and mainly targets the tourist market. However, we do welcome the stated aspirations of including a high proportion of local businesses.

We would also repeat a comment that the New Town & Broughton Community Council made in response to the 2021 suite of applications, that again the contracted provider has submitted three separate applications for provision of events that include a Christmas Market and other attractions in the city centre; whereas in reality, these are clearly interconnected and each raise several similar and common issues that should be considered together. The separation of what is a single event into three different applications is unhelpful when considering the total impact of the proposals.

With reference to the previous applications (20/03707/FUL & 21/04953/FUL), NTBCC did submit a representation raising concerns over :

- (1) Impact on Availability of Public Space
- (2) Principle of a Dispersed market (and our support for this)
- (3) Market Stall Composition
- (4) Impact on Residential Amenity
- (5) Proposals for Managing Public Safety / Queue Management

As a conclusion to this preamble, it may be helpful to reiterate part of the Joint Statement (from the 5 city centre community councils & The Cockburn Association) as submitted to the Policy & Sustainability Committee in August 2020 regarding the siting of the proposed rides and attractions :

*“Overall, we support the direction of travel away from the arrangements that caused so much damage to East Princes Street Gardens and distress to residents in 2019/20. We remain of the view that the gardens are not appropriate for the Ferris Wheel, Star Flyer and market stalls, next to the Scott Monument.”*

NTBCC’s position on this has not changed – even though the proposal is now to locate the Helter Skelter and ‘Techo Power’ facilities and some market stalls at that location.

With respect to the current application (22/04917/FUL), NTBCC would also wish to register the following comments.

**1. Use of public spaces outwith East Princes Street Gardens for Christmas Market facilities**

We do not take issue with the proposal to use the hard-standing available on the Mound Precinct (Royal Scottish Academy precinct) for the Christmas Market. This has been used for temporary events for many years and if properly managed, time limited and with agreement from the National Galleries of Scotland, its use should not cause a problem.

However, we are again somewhat surprised that the proposal does not intend to use the poorly-utilised hard-standing now available on Waverley Bridge. Although the road closure has been secured under a TTRO (& now possibly superseded by an ETRO), this would appear to cover the period required to stage the proposed Edinburgh Christmas Market (& associated facilities). It would also seem a more appropriate space to locate the additional market stalls that are now proposed to be located on the grassed area of the Remembrance Garden in this current application (vs. the previously-consented 20/03707/FUL application which kept this area clear of temporary structures).

**2. Use of public spaces within East Princes Street Gardens**

We have significant concerns with the proposal to extend the area for market stalls to include the Remembrance Garden. This was excluded from the previously-approved application (20/03707/FUL) but permitted in the subsequent application covering 2021 (21/04953/FUL) despite several objections being lodged from both community councils and

heritage organisations. Along with the Cockburn Association's stated position; we would prefer this to be removed from the proposals and as suggested above, possibly moved to Waverley Bridge. This would avoid damaging the soft surfaces (grassed area) and permit the Remembrance Garden to be enjoyed for a longer period. We would also mention that in 2019 (& 2021 – although less so), this area suffered significant damage from the imposition of the Christmas market stalls there and although it was among the first areas to be reinstated under the previous (Underbelly) Edinburgh Christmas contract, it still resulted in an unsightly and disrespectful image there and an extended outage of this space.

Restricting the market in this area would undoubtedly be in the wider public interest and be more respectful to the Remembrance Garden vs. the rapid clearing of this area immediately post Remembrance Day events and the setting up market stalls.

Although, as far as we understand, previous contracts contained a 'reinstatement' clause, that was primarily to reduce the financial burden on the City of Edinburgh Council but we are not aware of any commitment from the current provider regarding reinstatement and to ensure that remediation is carried out in an acceptably short timeframe.

As such, if permission was to be granted for the Edinburgh Christmas Market in 2022/23, we would hope that additional conditions would be attached to ensure that remediation and reinstatement is not allowed to extend significantly from the decommissioning date; a period of 1 month, perhaps 2 months maximum given the time of year, would seem appropriate. If this cannot be met, then the proposal should not be permitted.

Finally, we would reiterate our broad concerns to the installation of the Star Flyer and Big Wheel adjacent to the Scott Monument. Whilst we acknowledge that some years ago, the necessary foundation supports have been installed to permit the erection of these 'attractions', this should not continue to be a reason to erect these 'attractions' in this location.

### **3. Principle of a Dispersed market :**

NTBCC continue to broadly support the idea brought forward in previous discussions that the response to the unacceptable impact from the 2019 market installation would be to consider more fully, the idea of a fully dispersed market.

Whilst this should extend over a wider area than the Waverley valley, the use of the Waverley bridge area, being hard-standing, would be consistent with this.

In summary, whilst NTBCC recognise and acknowledge the importance to many within the wider community to have a Christmas event; as well as the possible increased footfall being attracted to the city centre which could potentially benefit established city centre 'bricks & mortar' businesses, for the reasons outlined above, it is difficult to fully support this proposal as currently presented.



However, given the current circumstances, the New Town & Broughton Community Council does not formally object to this application, nor do we support it. Our concerns would be significantly diminished if the application was for this year only (i.e. 2022/23). All of the applications covering the wider Christmas activity have deficiencies in information which makes it difficult to comment on the detail. The planning statements (including the very late addition of an amended Planning Statement for this application (lodged on the Planning portal on 25<sup>th</sup> October – 3 days before the period for comments close) does not fully assess the impacts to heritage assets such as listed buildings / monuments etc. sufficiently. There is little detail regarding the disposition of stalls, rides etc. and the associated management of crowds.

However, we appreciate the special circumstances that Unique Assembly as “rescue applicants” find themselves in but it is still disappointing that this is seemingly yet again a rushed application with insufficient detail to justify granting 5 year duration as presented.

We note (and /or hope) that future applications should be informed by the ‘root and branch’ review of the Winter Festivals which was carried out earlier in 2021 and we would also expect both the key principles and associated guidelines in the soon to be presented report to committee covering the ‘Use of Public Spaces for Events and Filming’ will help to inform and frame planning considerations for future events.

We would hope that our comments will provide useful input to this application – hopefully to refine or revise the proposal as presented although we recognise that there isn’t as much time available for this as there could have been as these applications have been lodged essentially at the last minute.

If it is decided to grant this application, either as presented or with modifications, we would also want to stress that consent for the 2022/3 Christmas event does not and should not set a precedent.

We trust that these comments are useful in determination of this application.

Yours,

Richard Price, NTBCC Planning Convener

On behalf of the New Town & Broughton Community Council