

Culture and Communities Committee

10.00am, Tuesday, 4 October 2022

Terms and Conditions for Operating Events in Parks: West Princes Street Gardens and the Ross Bandstand

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1. Recommendations

- 1.1 It is recommended that Culture and Communities Committee:
 - 1.1.1 Approve the Conditions and Parameters for events in West Princes Street Gardens;
 - 1.1.2 Approve the proposed number of major events which maintain the ambition of the 2014 Edinburgh Parks Events Manifesto; and
 - 1.1.3 Note that officers will continue to pursue a solution to the rockfall from Edinburgh Castle with Historic Environment Scotland.

Paul Lawrence

Executive Director of Place

Contact: Karl Chapman, Head of Heritage, Cultural Venues, Museums and Galleries

E-mail: karl.chapman@edinburgh.gov.uk | Tel: 07795 121243

Report

Terms and Conditions for Operating Events in Parks: West Princes Street Gardens and the Ross Bandstand

2. Executive Summary

- 2.1 An evolving events sector, increasing our environmental protection measures and the closure of the entrance to West Princes Street Gardens at King's Stables Road due to rockfall has required a revision to how event organisers can access and use the Gardens and the Ross Bandstand for events and concerts.
- 2.2 Officers have drafted a set of operating guidelines that aim to maintain viable access and egress conditions, enable events to take place safely, seek to minimise disruption to the general public and support environmental protection the Gardens and access routes. This is attached as Appendix 1.
- 2.3 Recognising that the events programme in West Princes Street Gardens is an evolving process (and that an additional report is being considered on the Use of Public Spaces for Events and Filming), Committee is asked to recognise that until a solution is found to the rockfall from the Castle there is a need to control and limit access on grounds of health and safety, as well as reducing the environmental risks to the St Cuthbert's Churchyard entrance to the Gardens. The recommendations in this report still support the 2014 Edinburgh Parks Events Manifesto and will feed into any subsequent refresh of that document.

3. Background

- 3.1 The Ross Bandstand and West Princes Street Gardens have hosted events of all shapes and sizes for many years. In addition to its primary function as a world class public park and greenspace it is also a key city centre event space. Having the Ross Bandstand, an historic event amphitheatre used for decades, situated at the heart of the Gardens adds the sense that the Gardens has a unique role in the city's cultural life.
- 3.2 As acknowledged in the Edinburgh Events Parks Manifesto, the city's festivals and events offering is key to its image at home and abroad, and to its capital city status. Hogmanay and Edinburgh's Festivals, as well a range of other event organisers provide year-round activities for the public.

- 3.3 The impact of rockfall from the Castle has resulted in St Cuthbert's Churchyard being the only option for access and egress of major event infrastructure, resulting in additional environmental and access pressures on use of the Gardens and historic Churchyard.
- 3.4 Events in West Princes Street Gardens provide revenues to the Council which have been previously agreed in the Council budget.

4. Main report

- 4.1 With the resumption of public events following the Covid-19 pandemic, event organisers have been returning to West Princes Street Gardens and the Ross Bandstand to offer a wide range of activities, ranging from Bubble Parks and charity events to live music events and new Winter festivals contracts.
- 4.2 The Edinburgh Parks Events Manifesto highlighted a principle of defining the number of events within each Park: *Principle 5: To set appropriate limits for private events. A limited number of private/commercial event opportunities will be advertised for each park (within the agreed maximum limits). The most suitable events for the forthcoming year(s) will be selected from the range of submissions and at the time of year that meets both the Council's and the event organiser's requirements.*
- 4.3 The events and festival sector is constantly evolving in order to remain dynamic, economically viable, environmentally responsible, responsive and safe. The industry has seen greater health and safety requirements needing greater infrastructure and services, creating better events but needing more resource. The celebration of festivals, music, arts and culture has also seen profile changes with more demand for outdoor festivals and events and desire to celebrate the city.
- 4.4 There have been additional pressures on access to West Princes Street Gardens for events. The King's Stables Road entrance to West Princes Street Gardens has been closed since 2019 due to the known risk of rockfall from the Castle rockface. Discussions and correspondence have taken place with Historic Environment Scotland, who is the responsible body for the rockface, but remedial safety measures are not yet in place.
- 4.5 Prior to 2019 the King's Stables Road entrance provided an access and egress route for event organisers, as well as Parks staff, that reached as far as the bridge at the back of the Ross Bandstand. St Cuthbert's Churchyard is now the interim and sole access route for delivery of event infrastructure.
- 4.6 In response to this, officers from Culture and Wellbeing and Operational Services worked to prepare revised operating conditions for events to provide a temporary solution that could enable events to progress while addressing enhanced environmental and health and safety measures required to support protection of the Gardens and St Cuthbert's Churchyard (Appendix 1).

- 4.7 The 2014 Edinburgh Parks Events Manifesto provides guidance on a limit of four 'large events' that extend outside the events space (the Ross Bandstand). This provides clarity for the public and event organisers, as well as striking a balance between celebrating its primary function as public green space and an event programme befitting a cultural capital.
- 4.8 Given the pressures described above, and until the rockfall issue is resolved, the Committee is asked to approve the following approach which will maintain scope for four major events as follows:
- 4.8.1 Edinburgh's Hogmanay celebration;
 - 4.8.2 The Edinburgh International Festival opening or closing concert;
 - 4.8.3 Two other event days to be decided by the Executive Director of Place in consultation with group spokespersons; and
 - 4.8.4 That by adopting Principle 5 from the manifesto (outlined in paragraph 4.2) officers from the Council's Events Team will programme the major events, working collaboratively with colleagues in Parks and Greenspaces, and update the Committee on the 2023 programme through a future Business Bulletin in February 2023.
- 4.9 For the majority of the events described above, public access to the Gardens is maintained during the daytime as the ticketed period takes place in the evening. Such events do require access and egress for production equipment and staging so there are periods where access to some areas is restricted for health and safety reasons, although much of the Gardens do remain open. This is managed through the EPOG process and communicated to the public through Council and event organiser social media channels.
- 4.10 Before going ahead all events would be required to complete the existing and standard processes to confirm the booking to the Council's satisfaction and these include a Parks and Greenspace Event Permission Form, fulfilling all licensing and contractual obligations, as well as engaging with conditions set out by the Council's EPOG process. Capacities for major events will be decided through this process and at the sole discretion of the Council.
- 4.11 It is worth noting that events taking place within the curtilage of the Ross Bandstand and immediate existing hardstanding infrastructure are not subject to any restriction on numbers. The capacity of the Bandstand is 2,700 subject to production and floor plans. Such events will be programmed by the Cultural Venues in association with Events, Parks and Greenspace officers.

5. Next Steps

- 5.1 Officers will continue to engage with Historic Environment Scotland to resolve the issue of rockfall from the Castle rock and seek remedial solutions to enable the use of the King's Stables Road entrance.

- 5.2 If approved, the additional conditions and working parameters will be adopted as part of the Parks Application process. Contracting and event planning for Winter Festivals and 2023 events will then begin.
- 5.3 Officers will develop a single operating plan for the use of West Princes Street Gardens for events and prepare contracts and conditions in accordance within this framework.

6. Financial impact

- 6.1 The cost for developing revised contracts can be met by the service budget.
- 6.2 Income loss from having fewer events will be managed as a Place pressure as part of next year's budget development.
- 6.3 There is potential to recover income through increased use of the Ross Bandstand for additional, smaller scale events.

7. Stakeholder/Community Impact

- 7.1 There is public interest in the use of public spaces for events. There has been consultation with the public over these issues and the outcome of that can be found in the Use of Public Spaces for Events and Filming report which also forms part of this Committee agenda.
- 7.2 High profile events in West Princes Street Gardens are well attended by residents and visitors and they offer cultural opportunities befitting a capital city.

8. Background reading/external references

- 8.1 None.

9. Appendices

- 9.1 Appendix 1 - Events in West Princes Street Gardens – Conditions and Parameters.

Events in West Princes Street Gardens – Conditions and Working Parameters

Key principles:

West Princes Street Gardens and the Ross Bandstand are historic and iconic sites within Edinburgh's City Centre and World Heritage Site with the gardens forming part of Edinburgh's designated Garden and Designed Landscape of the New Town Gardens. The Gardens contain a series of listed monuments and structures such as the Ross Fountain and is of archaeological significance overlying the remains of the Nor' Loch and bounded by the A-listed St Cuthbert's Church and Graveyard. The southern part of the park is formed by Edinburgh Castlehill containing the Castle's Well House (a Scheduled Ancient Monument) and which is also a Site of Special Scientific Interest (SSSI). It is primarily used as a park for the public to enjoy and this should be taken into consideration when preparing event proposals. Access to the park for the public should be maximised and the potential for damage to the gardens should be mitigated.

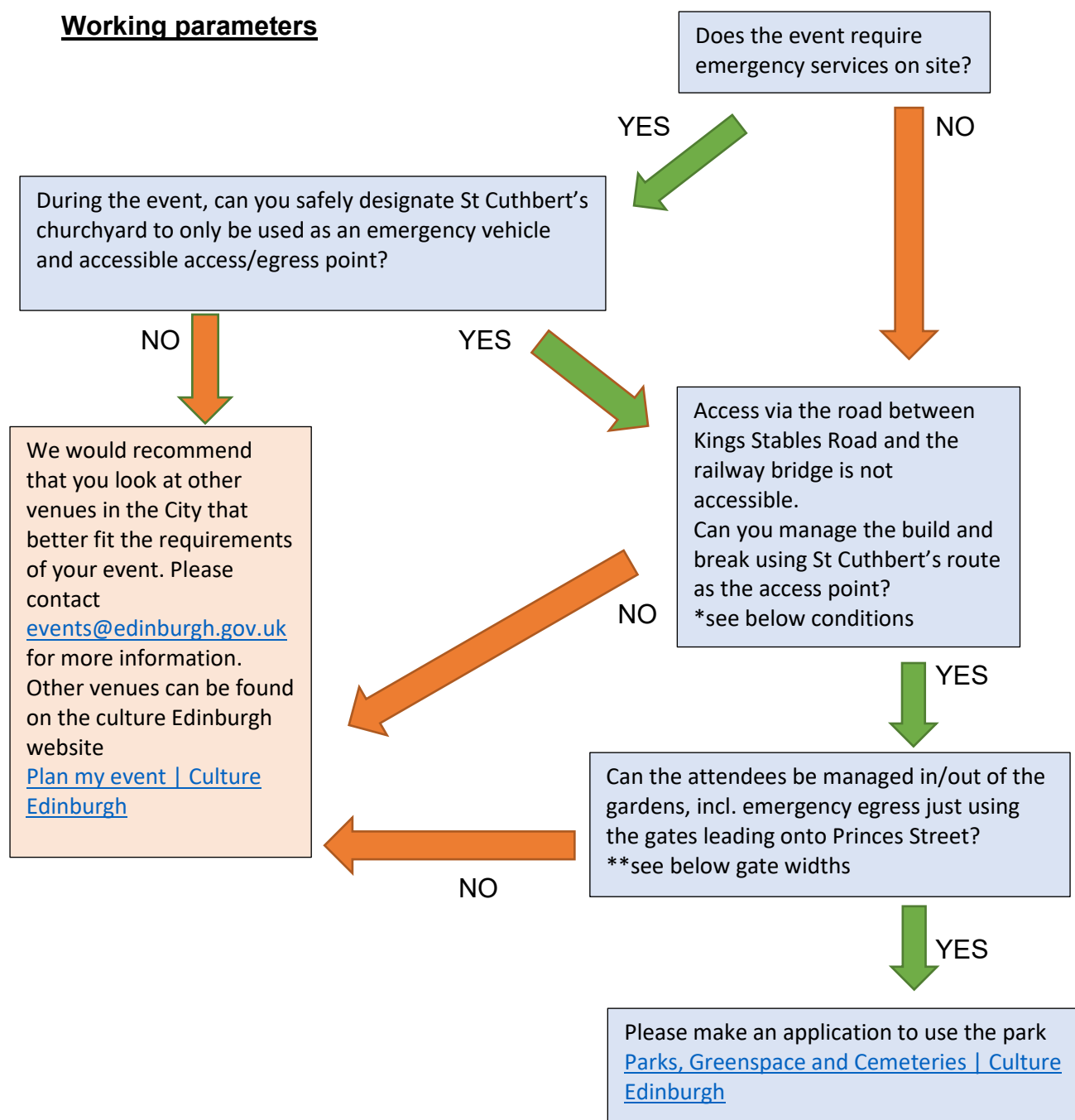
As stated in the 2014 Edinburgh Parks Events Manifesto, the Council (CEC) also recognises that the city's festivals and events offering is key to its image at home and abroad, to its capital city status, to the development of the City Region Brand. Edinburgh's Events Strategy states that "Edinburgh will continue to grow as one of the world's finest events cities". It aims to deliver a balanced portfolio of events over the next ten years to include established successful events, newly created or commissioned events and national or international events won for the city through bidding processes.

The manifesto can be found here: [Edinburgh Parks Event Manifesto](#). Our aim is to enable events to be delivered in a way that respects public access, heritage sites and the natural environment.

General conditions of use

- Organisers are required to apply to use the Gardens (Parks and Greenspace Event Permission Form). This is a precursor to entering a contract of let with CEC. You will be required to provide details of the proposed event, produce a risk assessment and provide proof of public liability insurance all of which will be included in the contract of let.
- A Vehicle Access Plan, Tree and Root Protection Plan and Heritage/Monument Protection Plan will be required as part of your application for approval of Council officers. See details below*

- A rental fee will be set by CEC determined by the scale and impact of the event. A list of charges is available for organisers wishing to make sole use of the Ross Bandstand.
- A reinstatement bond (determined by CEC) will be payable four weeks before the commencement of an on-site build. Access onto the site will not be granted until the bond payment is received.
- Depending on the scale and/or complexity of the event, it may be determined that an on-site presence is required by CEC to ensure compliance with the conditions of use. This will be confirmed by a Council officer once your application has been reviewed and any associated costs will be the responsibility of the applicant/operator.
- A multi-agency Event Planning and Operations Group (EPOG) meeting may be required to ensure the safe delivery of your event. If so, you will be expected to produce an Event Safety Management Plan (ESMP) and present your proposals to the group for their comment and approval. We would recommend that you review best practice guidance, e.g. [The Purple Guide](#), on what to include within your ESMP.
- As part of the process you will be asked to liaise with other departments of CEC as required, such as Licensing, Environmental Health, Roads Events (for temporary traffic regulation orders), Bereavement Services, Archaeology, Planning and Public Safety. All departments of the council must confirm that they are content with the plans for the event before it can take place and event organisers are liable for the risks associated with the failure to do so.

Working parameters

***Access through St Cuthbert's Church and graveyard – conditions of use:**

- Access for public must be maintained during normal Garden opening times subject to agreed short-term periods of load-in and load-out of specific equipment.
- Access for St Cuthbert's Church parishioner's and CEC Bereavement Services must be maintained – coordination with the church and Bereavement Services is essential to clarify timings of services or other requirements. There should be no parking in the graveyard under any circumstances.
- Vehicle size will be limited to 7.5t vehicles for access through St Cuthbert's churchyard. A vehicle access plan must be submitted as part of the event plan and vehicle size may be limited based on environmental impacts to the areas.
- A 'Banksman' must always be used while vehicles move through the churchyard.
- A method statement is required for the protection of tombs, gravestones, monuments and heritage items along the completed length of the pathway through St Cuthbert's Church and graveyard.
- The repair of any damage caused to the graveyard, it's monuments or landscape as a result of the event with costs must be met in full by the applicant/event organiser
- Limitation on heights will be required for the protection of tree canopies along the route of the path. This should be detailed in the required Vehicle Access Plan and Tree and Root Protection Plans.

****Gate widths for West Princes Street Gardens**

- A. West End – 3760mm
- B. Castle Street – 2200mm
- C. Frederick/Castle Street – 2280mm
- D. Frederick Street – 2250mm
- E. Floral Clock – 3280mm
- F. St Cuthbert's Churchyard – 3340mm

Please refer to Section 4 of open air event guidance to determine a safe capacity for your event taking into account the risks particular to your event; [Layout 1 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/614412/layout-1.pdf). If you have any questions, please contact publicsafety@edinburgh.gov.uk

See below map for details of access route and gates noted above.



*****Tree and root protection plan guidance**

- All root protection measure must meet British Standards 5837.
- A Root Protection (RP) zone map (see below) – the RP areas identified in these maps must be treated as exclusion zones with no infrastructure placed in these areas.
- A detailed Tree Protection Plan must be provided clearly indicating the precise location of protective barriers to be erected to form an exclusion zone around all park trees that are to be affected by the built infrastructure of the proposed event, this plan being superimposed onto an up-to-date tree location plan. This plan needs to include the type of ground protection to be used to form the necessary exclusion zones. CEC would stipulate the use of “heras” fencing that is bolted together and installed using concrete footing blocks so no ground excavation is required. The full specification for any barriers must be included within the Tree Protection Plan. All tree protection measures must be in place before any other build commences.
- Penalty for any tree damage occurring as a result of the Event set-up, derig or occupation or due to failure to comply with the agreed tree protection plan, will be based on a percentage of the overall CAVAT figure for said tree, based on the severity of damage. The decision on any penalty payment will be at the sole discretion of the CEC Tree and Woodland Service.
- There should be no vehicle movement across any grass / soft landscaped areas which are going to be used as an event area or for temporary access required for any build, without the use of protective matting. The specification for this protection needs to also be included in the Tree Protection Plan and Vehicle Access Plan.
- Ground excavation to facilitate construction of any infrastructure for the event will not be permitted within any Park and Greenspace area.

