

# Public Spaces Protocol

CITY OF EDINBURGH COUNCIL

## **Public Spaces Protocol**

### **Purpose**

The purpose of the Public Spaces Protocol is to ensure that Edinburgh's public spaces are used in a way that enhances the city's cultural identity, reputation and quality of life.

The use of public spaces must be balanced appropriately, to function for the wide range of people who live, work and visit the city, throughout the year.

### **Introduction**

People's experiences of any city are partly shaped and influenced by the way its public spaces are used.

Public spaces in Edinburgh support the day-to-day activities of the people who live and work in the city, as well as playing host to temporary or seasonal cultural, civic and festival events.

Edinburgh's regional population is growing, and at the same time the city is attracting increasing numbers of visitors. Numbers in the streets, strong festival and cultural sector growth, and changing consumer trends around leisure and recreation all add to the demands on Edinburgh's public spaces for basic access, and a wide range of uses, experiences and events.

Without a coherent framework for decisions, against agreed principles and criteria for use of space, public spaces may become overused, or identified for a single type of use. This can impact on people's quality of life and on the local environment.

This Protocol is designed to help balance demands on public spaces. Temporary events and activities that bring income and life to our city should not have an enduring impact on the quality of life for residents or businesses.

The Public Spaces Protocol can be applied to any existing or future public space in Edinburgh, which the Council owns, leases or manages. Parks and greenspaces are covered separately through the Edinburgh Parks Events Manifesto. Additional guidance is provided within the protocol for central spaces where demand is known to be higher.

## **Guiding Principles**

In 2016, feedback from a very wide range of people and interests was gathered, and used to develop a set of guiding principles for the use of public spaces.

The following seven principles, which have equal weight and importance, provide the context for decisions on temporary uses of public spaces.

### **1. The use of space must balance the needs of different users**

No exclusive use, or single type of event, will dominate any one space. Uses of public space must reflect the interests of a wide range of user groups, and reflect the city's ever-changing context. The Council supports a range of types events in public spaces; each of these is required to be well planned, deliver agreed outcomes and mitigate impacts on a wide range of different users.

The Council's consideration of proposed temporary events / activities must assess the needs of those who regularly access or interact with a public space (including residents and businesses) as well as providing opportunities for diverse attractions for the city's population.

The temporary use of public spaces for the provision of a bar only, or primarily bar focused facility is not considered to balance the needs of a wide range different users of a public space, and will not be supported.

### **2. The use of a space must support and reinforce the special 'place' quality of its surrounds**

Temporary use of public spaces for events, activities or installations should support the qualities, characteristics, heritage considerations and functions of the surrounding built environment.

### **3. Each space must have periods of 'rest' when it is free from temporary events or activities**

There must be periods of time when each public space is free from temporary events, to support the day to day, 'normal' activities associated with a sustainable, living city.

The length of time a space should be kept free from temporary events will vary, but will reflect the social, physical, historic, and economic context of the space, as well as the impact of previous events.

Temporary events should not transform a space beyond a single season or festival period. Sometimes, there is a request to extend a temporary event. Only one extension can be supported. The duration of the extension should be for less than the original agreed length of the event.

### **4. The use of spaces must reflect Edinburgh's unique city offering**

Temporary uses of public spaces should actively promote Edinburgh's role and reputation as:

- the capital city of Scotland,
- a globally recognised Festival City,
- an historic city, (with Unesco World Heritage Site status),
- a cultural and sporting city,
- a great place to live, do business, visit or study.

The use of public spaces supports Edinburgh's 'Events Strategy', which aims to attract the best events to Edinburgh, as well as actively encouraging local and grassroots activities, and acknowledges the Council's partnership role reflected in 'Thundering Hooves 2.0', the strategy to strengthen Edinburgh's position as the world's leading Festival City. Key partners of the Council, that contribute to the city's unique offering, such as festivals, heritage bodies, cultural institutions and business improvement districts are well placed to help promote the principles of this Protocol in public spaces that they utilise or own.

## **5. The use of public space should encourage all people to access the city, throughout the year**

It is important that people can have opportunities to experience or take part in social and cultural activities across the year. Temporary events, or activities bring seasonal animation to a space and add interest and opportunity for social interaction, in the city.

Uses of public spaces should encourage people outside in winter, and provide opportunities to respond to and experience key festivals.

## **6. The spread of activities to spaces across a wider area of the city will be encouraged.**

It is increasingly necessary to manage the intensity of activity in concentrated central areas of the city, and spread economic benefits of additional footfall over a wider area. As part of a planned review of the use of this Protocol, the Council will consider options to encourage the use of a wider range of spaces for activities and events, such as the potential for structured contributions towards costs associated with using high footfall locations.

## **7. Temporary activities or events in public spaces must be well managed, and adhere to standard terms and conditions.**

Standard 'terms and conditions of use' for Council-managed public spaces have been developed. These bring together various pre-existing requirements for the management of events. Previous management issues may now be taken into consideration by the Council, before further use of public space is agreed.

Central, higher demand sites have specific conditions that must also be met by event organisers in addition to standard terms and conditions. These are set out in Section 2 of this Protocol.

The Council may instruct additional conditions for *any* event, if required, at any stage before or during an event.

Organisers of larger events are required to support and facilitate Event Planning and Organising Group meetings, and will be instructed on event specific safety (or other) requirements.

Organisers of events need to be aware that further roads consent, planning permissions or licensing conditions may be required.

## How decisions on use of public spaces will be made

The assessment and decision-making process for events will be co-ordinated by the City of Edinburgh Council, through its Events Management Group (EMG), using the Public Spaces Protocol. The Council will consider proposals and enquiries for events in public spaces in a fair, timely, and reasonable way.

Stages in the decision-making process.

### Stage 1. APPLICATION BY EVENT ORGANISER

A completed application form (appendix a) is received at [events@edinburgh.gov.uk](mailto:events@edinburgh.gov.uk)

Council will check availability of space and / or permission to occupy the public space before proceeding to Stage 2.

Applications for permits or licenses made at this stage will only be considered once an agreement in principle is given.

### Stage 2. ASSESSMENT OF SUITABILITY - AGREEMENT IN PRINCIPLE TO USE OF SPACE

The suitability of event will be checked against agreed principles, as well as the considerations for use. Considerations are outlined on the next page.

For larger events, or those considered to have wider impacts, there is a mechanism in place for consulting with relevant elected members at this stage.

At the end of this stage, an agreement in principle may be reached, and this will be communicated to the organiser, and a provisional booking will be taken.

If for any reason, an agreement in principle is not given, Council officers will explain why. In certain instances, Council may try to identify a suitable alternative.

### Stage 3. APPLICATION FOR OTHER PERMITS, PERMISSIONS AND LICENSES

This stage deals with statutory applications and processes. Other permits or licences should ideally only be applied for once agreement in principle has been obtained. An agreement in principle for use of a space does not guarantee that licenses or permits will be granted. Licence or permit applications will be considered if an agreement in principle to use a space is confirmed.

A permit or licence granted before agreement in principle to use a space has been given does not guarantee that the event will be allocated a space.

### Stage 4. EVENT PLANNING AND ORGANISING GROUP (EPOG) MEETINGS

Once permits and licenses are obtained, the Council may require one or more EPOG meetings to be held, where changes to elements of a proposal may be instructed, to address issues of public safety, traffic management and access, timings or any other.

## **Process for making decisions, continued.**

### **Stage 2: ASSESSMENT AND AGREEMENT IN PRINCIPLE TO USE OF SPACE BY COUNCIL**

#### **The process for assessing suitability, and making decisions on the use of public space.**

Deciding what is or isn't appropriate for any public space requires sensible judgement and a wide understanding of current issues, and considerations.

Each individual proposal will be assessed on its own merits, as well as its fit with the city's role as a living, capital city, and pre-eminent festival city.

Not every activity will be suitable for every public space or proposed time, so decisions may be made to recommend changing these elements of a proposal. From time to time, proposed events may not be consented. The Council will be open about the reasons why this is the case.

In addition to ensuring proposed events meet with the guiding principles, there are a range of considerations that will inform a decision on the use of public spaces. This might include very local, one-off contexts or situations, so the following examples help to outline the kinds of questions that will be asked. The following is not an exhaustive, or absolute, list of considerations.

- Is the type of event compatible with the proposed space?
- Will the event support the quality of place of the surrounding area?
- Will the event reflect the social, physical, historic and/or economic context or profile of a space?
- What are the impacts of the event on surrounding residents or businesses?
- Is the scale of the event suitable for the proposed venue?
- Will the terms and conditions, and any site-specific conditions, be fully met?
- Does the event reduce access for, or exclude, any particular group(s) of people?
- Will the event encourage participation from local people, and how?
- Is the event funded by the Council or other partners?
- Have previous events of this nature been managed satisfactorily by the organisation?
- What other events are being hosted in the city at the same time?
- Has this site been used for other events recently?
- Is this the right moment or time for this event or activity?

It should be noted that for some public spaces, the Council may establish a management agreement with an appropriate third-party partner organisation (for example, a Business Improvement District body) to manage the space including decisions about its use. All decisions taken on behalf of the Council must adhere to the principles and considerations of the Public Spaces Protocol.