

Culture and Communities Committee

10.00am, Tuesday, 14 September 2021

Use of Public Spaces for Events and Filming

Executive/routine Wards Council Commitments	Executive All 43.46.
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1. Recommendations

- 1.1 The Culture and Communities Committee is asked to:
 - 1.1.1 Approve the recommended key principles on the Use of Public Spaces for Events and Filming (as set out in Appendix 2) for public consultation; and
 - 1.1.2 Note that, following the public consultation and analysis of the response, finalised principles and associated guidelines will be submitted to Committee for approval by Summer 2022.

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Report

Use of Public Spaces for Events and Filming

2. Executive Summary

- 2.1 This report sets out recommended key principles for the use of public open space for events and filming in Edinburgh and proposes that these be progressed to public consultation.
- 2.2 It also provides information on the work of stakeholders on the working group and its sub-groups in developing these key principles.

3. Background

- 3.1 The Public Spaces Management Plan – Collaborative Development report to Culture and Communities Committee on [16 March 2021](#):
 - 3.1.1 Noted the collaborative engagement with stakeholders who provided extensive comment, advice and ideas for the development of the Use of Public Spaces for Events and Filming (previously called Public Space Management Plan/PSMP);
 - 3.1.2 Agreed to the establishment of a working group of stakeholders and officers to conclude the development and to be chaired by the Convenor or Vice Convenor of the Culture and Communities Committee; and
 - 3.1.3 Noted that a report on the recommendations from the working group would be presented to the 14 September 2021 meeting of this Committee for Member approval.

4. Main report

- 4.1 The working group, chaired by the Convenor of the Culture and Communities Committee, met for the first time on 21 April 2021. The organisations that are members of the working group are listed at Appendix 1.
- 4.2 The working group formed seven sub-groups, one for each topic arising from the collaborative engagement, inviting participants from within the working group membership.

- 4.3 Each of the seven sub-groups met twice, developing and refining the key principles, and reporting back to the working group to ensure consistency and theme linkage.
- 4.4 Following the April meeting, the working group met again on 19 May, 23 June and finally on 21 July. The key principles they recommend are reported here.
- 4.5 The fundamental proposed for the use of public open space for events and filming are:
 - 4.5.1 Application and Approval – Application and Approvals are tailored to the scale of an event or filming and in due course will be via a digital platform that provides guidance and is publicly accessible. They are managed by an Events Office.
 - 4.5.2 Area Conditions template – Area Conditions will contain additional principles and guidelines specific to that area and will be included on a publicly accessible digital platform.
 - 4.5.3 Engagement and Communication – Engagement and Communication is open and transparent, practicable and proportionate to the scale of the activity and the impact it will have, provided at the earliest opportunity and in appropriate and accessible formats.
 - 4.5.4 Filming – Filming complies with the Code of Practice for filming, the key principles for the use of public spaces, minimises disruption to residents and maximises a positive legacy.
 - 4.5.5 Sustainable events, economic – Events and filming provide net positive economic, social and community benefits.
 - 4.5.6 Sustainable events, environmental – Events and filming activity commit to and demonstrate environmental sustainability throughout their tenure and will align with ISO 20121.
 - 4.5.7 Sustainable events, social - Events and filming deliver beneficial social value and support a lasting positive legacy for Edinburgh.
- 4.6 The key principles that ‘stand behind’ those fundamental principles are in Appendix 2.
- 4.7 Stakeholders understand the volume of events and filming activity and are clear that measures must be proportionate to the scale of the activity and the impact it will have. This expression is repeated across several of the key principles and will be detailed in the guidelines. Defining what is proportionate will be straightforward for activity at either end of the ‘scale and impact’ range. Defining it for the ‘middle ground’ is more challenging and stakeholders noted it will require officer experience and expertise, as currently demonstrated with the [Event Planning and Operations Group](#) (EPOG) system.
- 4.8 Social value is identified by stakeholders as an important and required principle to help fully understand the benefits of events and filming for the people of Edinburgh. To quote one stakeholder, ‘conceptualising Social Value as "added value", or solely positive can be problematic. All actions create and destroy value for people that are

affected by them. The question is whether the positive and negative value has been identified and factored into the decision making. This will require trade-offs between different groups to be identified and addressed. More work is being carried out to understand how social value can be identified and applied.

- 4.9 Guidelines are required that are aligned with the key principles in Appendix 2. Most information, advice and application documents already exist and are in use (these are available on the [Culture Edinburgh](#) website) but they now need to be intuitively linked and where required, updated to align with the key principles.
- 4.10 A recurring theme in discussions across all sub-groups was the need to have a digital portal that could hold:
 - 4.10.1 Key principles, guidelines and information;
 - 4.10.2 An events and filming calendar;
 - 4.10.3 Geographic display of information;
 - 4.10.4 A streamlined application;
 - 4.10.5 Area condition information for local information, local contacts and notification;
 - 4.10.6 Automatic notification, updates and feedback to and from interested parties;
 - 4.10.7 Monitoring information and data for analysis; and
 - 4.10.8 Future links to Council payment, permission, licencing and application systems.
- 4.11 A project is underway to explore resource requirements, costs and timescales for a digital portal and a revenue budget will need to be identified.

5. Next Steps

- 5.1 If Committee agree the key principals, the next steps will be to:
 - 5.1.1 Consult publicly on the key principles for the use of public open spaces for events and filming. Consultation will be carried out in accordance with policy. The Consultation Advisory Panel has pre-approved this consultation.
 - 5.1.2 Collate and produce guidelines for the application of the key principles.
 - 5.1.3 Update the Parks Events Manifesto to reflect the key principles and guidelines.
 - 5.1.4 Identify associated costs and progress the digital portal.
 - 5.1.5 Analyse consultation response, conclude key principles and guidelines, and recommend to Committee for approval.
- 5.2 Following final approval by Committee, introduce and implement the key principles and guidelines, with a transition period for event and filming applications and approvals in progress.

6. Financial impact

- 6.1 The cost of developing the management plan has been met from within the Place directorate's existing revenue budget.
- 6.2 Costs associated with a web platform/digital portal and improving processes and procedures need to be identified as part of finalising the plan.

7. Stakeholder/Community Impact

- 7.1 Stakeholders, including event and filming organisers, community councils, resident groups, business groups, friends' groups, Council officers and interested individuals were invited to, and many collaboratively engaged in the development of the use of public space for events and filming.
- 7.2 Following the March 2021 Committee, these stakeholders formed a Working Group with seven focused sub-groups to conclude the development of the use of public space for events and filming.
- 7.3 The key principles for the use of public space for events and filming presented here are recommended by the Working Group for approval.

8. Background reading/external references

- 8.1 The Edinburgh Parks Events Manifesto (EPEM) – Transport and Environment Committee [26 August 2014](#).
- 8.2 Open Space 2021 – Planning Committee [16 December 2016](#).
- 8.3 Public Spaces Protocol – Transport and Environment Committee [9 March 2018](#).
- 8.4 Film Charter for The City of Edinburgh Council – [film charter](#)
- 8.5 Code of Practice for Filming in Edinburgh – [code of practice](#)

9. Appendices

- 9.1 Appendix 1 – Working Group membership organisations
- 9.2 Appendix 2 – Key Principles for events and filming in public open spaces.

Use of public open space for events and filming - Working Group membership organisations

Assembly Festival	LS Productions
Beltane Fire Society	Meadows Festival Association
Centre for the Moving Image	Meadows Festival Edinburgh and Tollcross Community Council
City of Edinburgh Council	MZA
Cockburn Association	New Town and Broughton Community Council
Collective	NL Productions
Cutting Edge Theatre	Nuvoc VC
DF Concerts Limited	Patrick Geddes Memorial Trust
Edinburgh Cocktail Week	Picardy Residents Association/New Town and Broughton Community Council Environment Committee
Edinburgh Festival Fringe Society	Southside Community Council
Edinburgh Jazz and Blues Festival	Sporting Bears Motor Club
Edinburgh Leisure	The Grassmarket Residents Association and OTCC
Edinburgh Oktoberfest	The Royal Edinburgh Military Tattoo
Edinburgh World Heritage	Underbelly Ltd
Essential Edinburgh	Unique Events Ltd
EventScotland	West End Community Council
Exchange Events Ltd (Gandey World Class Productions)	
Festivals Edinburgh	
Film production	
Fly Events	
Friends of Inverleith Park	
Friends of Lauriston Castle Estate	
Friends of Meadows and Bruntsfield Links	
Grange Prestonfield Community Council	
GSi Events	
Imaginate	
Leith Central Community Council	
Leith Links Community Council	
LeithLate	
Lothian Buses	

Key Principles (numbered) for the use of public open space for events and filming

Application and Approval

Application and Approvals are tailored to the scale of an event or filming and in due course will be via a digital platform that provides guidance and is publicly accessible. They are managed by an Events Office.

1. The Application and Approval for events and filming will be based on the scale of the activity, the impact it will have, both short and long term.
2. A digital platform will hold an events and filming calendar, planned disruption to an area such as road works or construction, Area Conditions and an application template with a guide to what's required for a successful application, including notification of stakeholders likely to be impacted. It will also record and communicate the positive benefits events and filming provide, as well as the negative impacts, to ensure balanced analysis.
3. A single point of contact 'event and filming office' will aid clarity, information exchange and consistency. It will need to be appropriately resourced and empowered.
4. Applications will be expected to follow the principles and guidelines. In exceptional circumstances an applicant may seek modification or departure from these principles but will be required to present their case, including mitigations, to impacted stakeholders and for scrutiny by the Council. The Council, after due consideration and taking account of comments, will not be obliged to grant the exception.

Area Conditions

Area Conditions will contain additional principles and guidelines specific to that area and will be included on a publicly accessible digital platform.

5. Area Conditions will have information available on the area including stakeholders, facilities, capacity, toilets, key contacts.

Economic

Events and filming provide net positive economic, social and community benefits.

6. The use of Council-owned or public good sites for commercial events should be framed within a Community wealth building approach.

Engagement and Communication

Engagement and Communication is open and transparent, practicable and proportionate to the scale of the activity and the impact it will have, provided at the earliest opportunity and in appropriate and accessible formats.

7. Information on events and filming will be as open and transparent as confidentiality allows and proportionate to the scale of the activity and the impact it will have. It will be provided at the earliest opportunity, to all those who may be interested in it, in appropriate and accessible formats.
8. Proportionate to the scale of the activity and the impact it will have, communication must be sufficient and accessible to allow anyone who may be impacted by events and filming to understand the disruption and if needed make alternative arrangements in a timely manner.
9. There will be open and transparent sharing of non-confidential information and engagement, proportionate to the scale of the activity and the impact it will have. As with planning applications, engagement can provide comment to be taken into account; while this will not automatically veto an event or filming, stakeholders will be entitled to an explanation where their views are not upheld.
10. There will be maximum transparency in all contracts and reporting, proportionate to the scale of the activity and the impact it will have.

Environment

Events and filming activity commit to and demonstrate environmental sustainability throughout their tenure and will align with the principles of ISO 20121.

11. Every opportunity must be taken to minimise disruption.
12. Built and green areas will be protected to allow an expeditious return to pre event conditions (or better).
13. Organisers must demonstrate that events and filming respect and contribute to the city's cultural identity, reputation and quality of life for residents. They will be expected to join with Edinburgh residents in taking responsibility for the good appearance of the city.
14. Responsibility for re-instatement, where required, will be identified at application and timescales given for both anticipated conditions and poor/wet weather conditions.
15. Events and filming must comply with Edinburgh's Sustainability Approach to 'net zero' by 2030 and events with the principles of ISO 20121.

Filming

Filming complies with the Code of Practice for filming, the key principles for the use of public spaces, minimizes disruption to residents and maximises a positive legacy.

Social

Events and filming deliver beneficial social value and support a lasting positive legacy for Edinburgh.

16. Social value is an important and required principle, but more work is needed to understand how it can be identified and applied. For example, 'Relevant and significant positive and

negative effects on groups of people should be identified and factored into the decision. Decisions about events and filming should be made such that they pursue as much of net positive social value as possible and mitigate any unavoidable negative effects as far as possible. The anticipated social value and the way this has influenced decision making must be transparent.'

17. All those employed in events and filming should be covered by the living wage and approved employment practices, including receiving necessary training.