



## Comments on Christmas market planning applications

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09 October 2020

General comments applicable to **High Street – 20/03728/FUL; George Street – 20/03708/FUL; and East Princes Street Gardens – 20/03707/FUL**. Specific comments for each offered.

### General Comments

The Cockburn notes that the current Winter Festival events, including the Christmas Market, have been cancelled this year due to the Covid-19 pandemic. Given that the Leader of the Council has proposed a “root and branch” review of the Winter Festivals, and given that the current contract extension with the applicant – Underbelly – expires after this Christmas period, **we question why these applications haven’t been withdrawn and why they are all for a 2 year period.**

The Cockburn objects to the proposed 2-year consent period and therefore objects to these applications on this ground.

For the record, the Cockburn views these three separate applications as a single planning entity, as they form a single event organised and promoted by a single operator. As such, we offer comments that are applicable to all and then offer site specific comments for each application.

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. The use of soft landscape surfaces for such intensive events is not appropriate, environmentally sensitive or acceptable given the significant damage caused. If they are to be permitted to advance, strict deadlines for reinstatement must be put in place, and must not be allowed to go beyond January in any event. If this cannot be met, then the proposals should not go forward.

The Cockburn notes the recent scoping decision that an EIA is not required for each of these applications. We also note that the Executive Director of Place at a recent Policy and Sustainability Committee of the Council made an explicit announcement that an environmental assessment would be required for any planning application coming forward. The EIA Regulations make it clear that “salami-slicing” of a significant application into smaller ones to avoid assessment is improper. Given the acknowledgement by the applicants of the impact on many heritage assets as well as the challenges of the current operating environment re public health, we do not accept this position and ask that it be reviewed and reconsidered.

The Cockburn would also note that a detailed assessment of the heritage impact will be required per s.59 of the Planning (Listed Buildings & Conservation Areas)(Scotland) Act which requires the planning authority to give special regard to preserving the setting of listed buildings. Historic Environment Scotland highlights the impact to many heritage assets in its comments.

We therefore strongly advocate for a Heritage Impact Assessment to be prepared.

An **enhanced of** (and not just “adequate”) **security and people management** for all aspects of the Winter Festivals is an absolute priority with respect to public protection. It is our view that the Christmas Market should be out with East Princes Street Gardens. Although there will be restricted access to EPSG, other dispersed elements of the Winter Festivals should have the same level of management to prevent overcrowding, protect health and ensure social distancing. Even with pre-booked tickets and virtual queuing software, it is inevitable that physical arrangements will need to be put in place. This should be built into any approval process.

**No loss of public circulation space** should result from measures put in place for these events. For the avoidance of doubt, such management and social distancing measures must not be a Trojan horse for increased commodification of public spaces including streets

It is vital that absolute priority is given to **supporting existing local businesses** and micro-businesses including local social enterprises (Edinburgh Social Enterprise is the most appropriate source of assistance) through all aspects of the events. The aim to create an Edinburgh Christmas Makers’ Market is welcome but silent on important details. This needs to be addressed.

Since public protection will be best served by scaling down the market, at which 67% of outlets in 2019 were non-local, it seems clear that reductions are needed for 2020 in the number, as well as the proportion, of non-local exhibitors. There should be **no pop-up bars** and food outlets, especially as these create direct competition, not additionality, to local all-year round businesses such as bars and cafes. We also feel that that pop-up bars would be problematic to the effectiveness of any test and trace system.

#### **Specific Comments**

##### **High Street – 20/03728/FUL**

We have no objection to the use of the High Street for market stalls, which would have been used historically as such. We do have significant reservations about the location of plant and ancillary space immediately adjacent to St Giles Cathedral, even for a temporary period. The impact on other listed buildings such as the Mercat Cross is also concerning.

The issue of social distancing in a public space has not been addressed in this application. It is highly likely that restrictions will remain in place over the Christmas period which means that crowd management will need to in place.

In all operations, ISO 20121 standards should be followed.

We object to the impact on the setting of St Giles Cathedral and therefore to this application. Amendments to the proposals in this regard would be welcome, making this application supportable.

##### **George Street – 20/03708/FUL**

We have no objection to the proposed ice rink and various market stalls being erected here. We do object to the proposed pop-up bar, which is unnecessary and will undermine local traders.

The issue of social distancing has not been addressed in this application. Queues may form and could cause serious congestion in the immediate area, compromising safe access to local shops, hospitality venues and offices. Time ticketing could exacerbate this, rather than solve it.

In all operations, ISO 20121 standards should be followed.

We object to the inclusion of a pop-up bar facility and advocate its removal from the proposal.

**East Princes Street Gardens – 20/03707/FUL**

Whilst we do not object in principle to the use of some of this site, we object to the use of the soft landscape areas on the upper terrace for high impact activities such as the Big Wheel and Star Flyer. These should be placed in an area of hardstanding to prevent damage to the soft surfaces which results in significant damage to this Common Goods Asset.

In the context of expressed public concerns about tree health and impacts in the gardens, the applicant should commission a Level 1 arboricultural survey, and put a programme of re-inspection in place to ensure that tree protection measures and site restoration measures associated with the Christmas Market are both appropriate and effective in ensuring the protection and ongoing health of the tree population.

As with the other applications, the issue of social distancing has not been addressed in this application. Queues may form and could cause serious congestion in the immediate area, compromising safe access to local shops, hospitality venues and offices. Time ticketing could exacerbate this, rather than solve it.

In this regard, we suggest that the main entrance into the one-way system will create additional problems. Located on a narrow section of footpath on Princes Street near major bus interchanges as well as a major pedestrian crossing, it will result in a very congested pedestrian environment becoming even more congested. Adding queues to enter in the market at this point will result in significant challenges for social distancing. Instead, we advise that this should either be reversed, with the entrance from Waverley Bridge and exit to Princes Street, or any alternative entrance be established on The Mound between the RSA and NGS.

In all operations, ISO 20121 standards should be followed.

As it currently stands, we object to this application but highlight possible amendments that would make it acceptable.