

54962

Request for information regarding the outdoor advertising arrangements related to the Edinburgh Festival Fringe.

The current contract between the City of Edinburgh Council and the company Out of Hand (or any subsidiary or affiliate), including:

The full contract document (with any redactions for personal/commercial sensitivity clearly justified).

Any clauses relating to exclusivity or monopolisation of advertising space.

Information we can release is attached.

Further information will not be provided. Documents that were submitted within the tender document submissions will not be provided as they contain a wide range of commercially sensitive information. The Council considers that if this information was disclosed to you, it would harm the provider's commercial interests by providing external providers with an unfair advantage when competing for Council contracts and work.

The start and end dates of the contract.

Please see the information published on the [Contract register – The City of Edinburgh Council](#)

Details of the tendering or procurement process for this contract, including:

Whether the contract was publicly tendered.

Yes

The list of companies that submitted bids.

Out of Hand Ltd & Build Hollywood Ltd

The criteria used for awarding the contract.

Please see the attached information.

The minutes of any council meetings or discussions relating to the awarding of this contract.

The Contract was awarded under delegated authority of Executive Director.
The following updates on the Council's approach have been published for Committees:
[Notice of meeting and agenda](#)
[7.1 - Citywide Ban on A boards with apps.pdf](#)
[9.1+Policy+on+Advertising+and+Sponsorship+-+Proposed+Amendments.pdf](#)

Financial information, including:

How much revenue the Council receives from this arrangement.

Please refer to the information published on the Contract Register.

Any fees paid by Out of Hand to the Council.

Please refer to the information published on the Contract Register.

Any subsidies, public funds, or support provided to Out of Hand by the Council.

Contract Management arrangements are in place and Council officers liaise with both Out of Hand and the Fringe.

Contract term changes (additional year added) due to service disruption during the Coronavirus Pandemic.

There may have been business (financial) support provided during the pandemic. This may also have resulted in staged payments or other financial support.

Complaints or correspondence, since 2019, between the Council and:

The Fringe Society
Out of Hand

Any artists, producers, or third parties expressing concerns about the advertising arrangements.

Unfortunately, we are unable to provide you with the information you have requested as the cost to the Council of locating, retrieving and providing you with the information exceeds the statutory maximum of £600.

To provide you with this information would require going through email communications across several service areas. Complaints from artists, producers, or third parties are generally directed to Out of Hand Ltd and the Fringe Society. It is estimated that to provide information from 2019 would take 46 hours.

In addition, occasional complaints about locations of advertising or construction of advertising structures may be received by the Council but passed to Out of Hand Ltd.

Regular meetings were held with Fringe and Out of Hand Ltd and Contract Manager(s) where complaints could have been raised

Policies or regulations that restrict artists or other organisations from placing posters or flyers in public spaces during the Edinburgh Festival Fringe.

Prior to the Council creating this advertising concession in 2014, the city centre suffered from a huge amount of illegal flyposting during the Fringe period, which had a negative impact on the visual amenity and increased street cleaning costs to remove all the illegally placed material.

The contract grants the Contractor permission to use agreed Council-owned property (including use of public spaces) for temporary advertising during the Fringe. Fringe participants are encouraged to use the advertising scheme if they want to promote their performances on the streets; otherwise, if third parties erect their own structures, posters, or adverts, they risk illegally flyposting or placing items on the footway in breach of the Road (Scotland) Act 1984. There are other advertising formats on public property that Fringe participants can use, such as billboards and bus shelter advertising that are covered under separate contracts with the Council.

The Council also has an Arts and Cultural Advertising Structures contract. This contract does not permit the advertising of Fringe festival performances and events to avoid conflict with the Outdoor Festival Advertising Contract.