

**MIDLOTHIAN'S FIRST ALLOTMENT
AND FOOD GROWING STRATEGY
FOR MIDLOTHIAN 2020 – 2030**

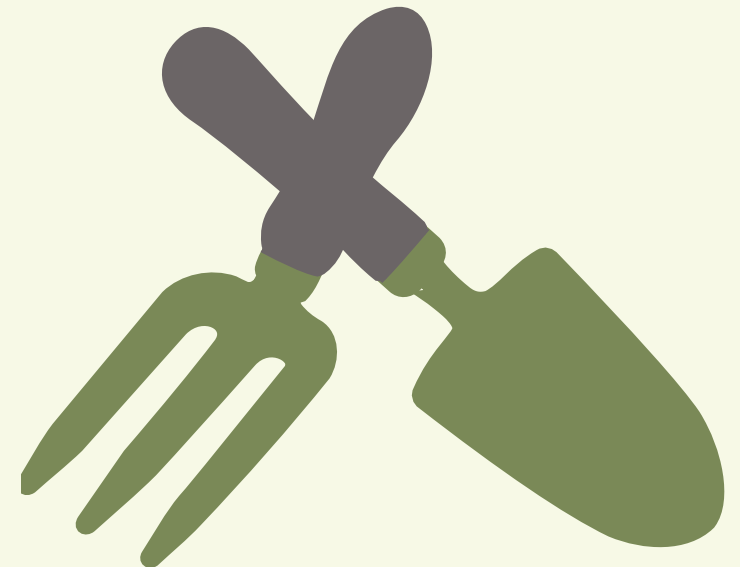




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WHERE ARE WE NOW?

1. INTRODUCTION

The Community Empowerment (Scotland) Act 2015 (CESA 2015) places a duty on local authorities to publish a food growing strategy for its area. The strategy must achieve the following objectives:

- a) Identify land for allotment sites and other areas of land that could be used by the community for food growing.
- b) Describe how we intend to increase provision of allotments and community food growing areas if there is an increase in demand.
- c) How we will address demand for new growing spaces in areas that experience socio-economic disadvantage.

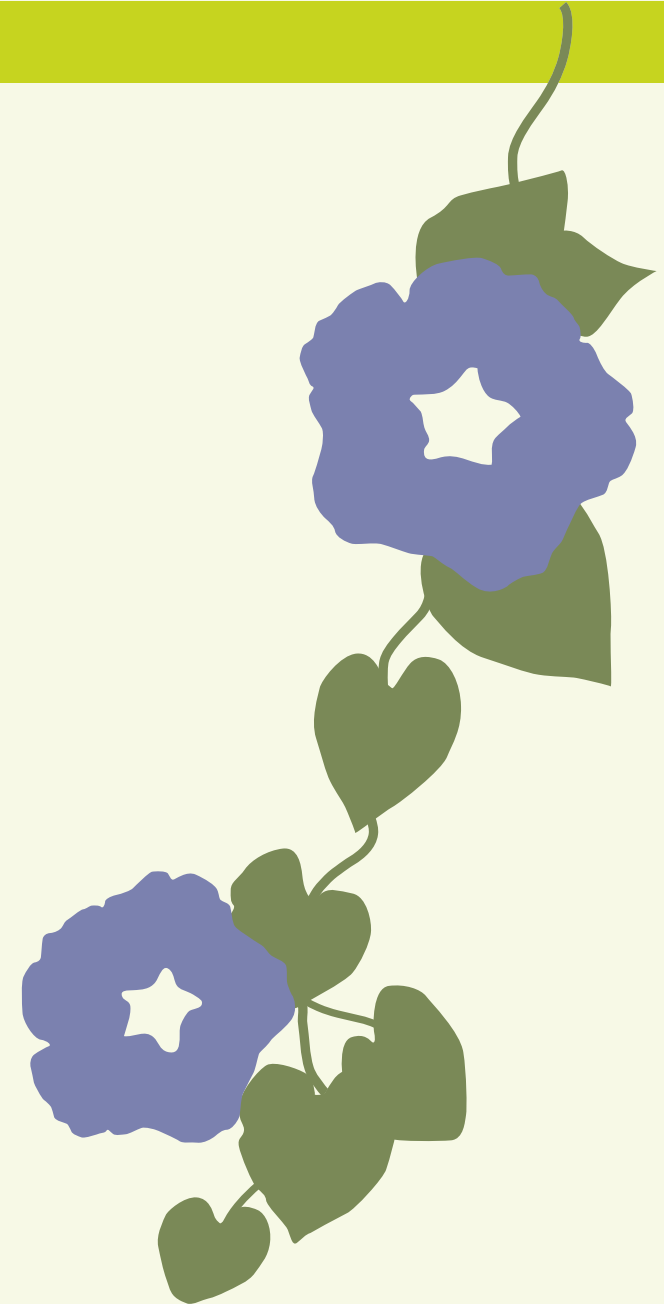
Scottish Government research and advice demonstrates that food growing provides opportunities for a **healthy lifestyle, sustainably and in a socially inclusive environment**.

The **physical and mental well-being benefits** from growing food are now well documented while supporting family budgets for people on low incomes.

The strategy also aims to set out the council's wider duties under the act including new legislation in respect of the council's management of allotments and approaches to the issue of food growing in the area more widely.

Midlothian, at the time of writing, is the fastest growing area in Scotland in terms of population (See Appendix1). This strategy seeks to provide opportunities for people to grow food for the benefit of family, friends and communities and, to develop the potential of supplying a local food chain for social and commercial uses as well as providing green areas for biodiversity.

This strategy and the implementation plan within it have been written in conjunction with the Allotment and Food Growing Steering Group, Growing Together Midlothian, Midlothian Food Alliance and members of the wider Community Planning Partnership. The strategy will be reviewed annually and a detailed review will be carried out after five years. The Allotment Strategy Steering Group will continue to monitor the strategy on an ongoing basis.





WHERE ARE WE NOW?

2. IMPACTS AND BENEFITS OF COMMUNITY FOOD GROWING

The Scottish Government provides comprehensive information and advice based on the latest research into the **benefits of food growing**. Below are some of the likely impacts and benefits to Midlothian resulting from a step change in community growing.

2.1 Health

People growing their own food will assist to provide improved diets. People acknowledge that they eat more healthily when they are involved in growing their own food¹.

Gardening activities can provide low-impact exercise and improve physical health. Many people find it easier to undertake this form of “occupational exercise” rather than more recognised forms of physical activity².

Growing plants can lower stress levels and offer mental health benefits particularly when situated within a supportive social environment. People in these conditions will often view the growing space as a “safe” space where they can relax and unwind from the stresses of other parts of their lives³.

2.2 Environmental

Community growing spaces can improve opportunities for wildlife to thrive. When these spaces are linked with other greenspaces, green corridors for wildlife can be created particularly if native hedging or pollinating shrubs are used in place of, or combined with, fencing⁴.

Community growing can mean enhanced space and habitat for wildlife. Planting to attract pollinators or companion planting on the grow-your-own site are simple but effective options to gardeners but there are many examples of positive steps taken on community growing sites to encourage biodiversity⁴.

The Pollinator Strategy for Scotland 2017-2027 sets out how Scotland can continue to be a place where pollinators thrive. Growing spaces will help to support

achieving the objectives of the plan.

Over the longer term, community growing has the potential to contribute to carbon reduction and environmental sustainability, by greening urban and semi-urban landscapes, reducing food miles, reducing packaging and food waste, and supporting sustainable agricultural practices. It also has a role in making people more aware of where their food comes from and can support behaviour change around food consumption. Community production is currently a very tiny part of our food economy, but championing and supporting local forms of growing can help support incremental change.

2.3 Economic

A 2011 social return on investment (SROI) study of community gardens has shown that for every £1 invested by funders, £3.56 of social value was returned. This study sought to measure benefits such as significant positive changes to stakeholders, including volunteers and local people, involved in or visiting community gardens⁵.

Community gardens and farms tend to spend grant money locally, through buying local goods and services, or by employing local people, and on occasions secure funding to employ staff or to pay volunteers’ expenses and therefore may help to bring in jobs to a local area⁶.

2.4 Place and Community

Community growing has a powerful role in place making and regeneration. An aesthetically-pleasing, biologically-diverse green environment can dramatically improve the way people feel about the place where they live. In both new and existing communities, community growing can give local residents a space and a shared activity through

which to build relationships and social capital.

A sense of community and fellowship can be fostered when people participate in food growing activities⁷. By creating social cohesion people feel that they can affect their local place to produce healthy food for friends, family, fellow growers and the wider community.

Access to community growing spaces can help to encourage more vulnerable people to get involved in local food-growing, and many growing spaces can evidence a reduction in isolation and loneliness for those taking part, for example through organised social activities such as dances and barbeques that occur periodically.

Community growing spaces can offer volunteering opportunities, events and festivals throughout the year⁸.

2.5 Skills, Learning and Volunteering

Food growing spaces provide a learning environment, where young and old can learn about a wide range of topics, including: skills to grow your own; food origins; cookery; climatology; biodiversity; recycling.

One of the eight Curriculum for Excellence areas allows children to learn about health and wellbeing matters to ensure that they acquire skills to live healthy, happy lives⁹.

Community gardening and growing are popular activities for people seeking to volunteer within their communities. Volunteering provides people with learning opportunities, a way to build their employability, a place to interact socially with others, and also mental and physical health benefits.



WHERE ARE WE NOW?

3. LEGISLATIVE CONTEXT FOR GROWING SPACES

3.1 Community Empowerment (Scotland) Act 2015 - Allotments

The key legislation affecting allotments is the **Community Empowerment (Scotland) Act 2015** which came into force on 17 June 2015. Section 9 of the Act attempts to simplify the law regarding allotments.

The key duties of the Act are that Local Authorities must:

- Seek permission from Scottish Ministers before they sell off land used for allotments or re-purpose such sites
- Report on their allotment provision annually
- Enforce regulations governing the use of council-owned allotments

The provisions of the 2015 Act relating to allotments seek to:

- Increase the number of allotments
- Increase the amount of land made available to communities to grow their own food
- Make it easier for communities to take over land for allotments and other “Grow Your Own” purposes
- Update and simplify existing allotments legislation

The main areas of new policy concerning the management of allotments include:

- The formal definition of an allotment
- A duty on local authorities to hold and maintain allotment waiting lists
- A duty on local authorities to provide allotments and to keep waiting lists below a set target
- A duty for local authorities to publish an annual report and produce a food growing strategy
- A duty for local authorities to produce new allotment regulations
- Protection of allotment sites from closure
- Allowing the sale of surplus produce

The Act places a duty on local authorities to provide allotment sites and in this respect is similar to the legislation it replaces. These allotment sites will be provided principally to people on the allotments waiting list. Allotment provision is demand led and the waiting list will record all those who want to let an allotment plot. The Act replaces the provisions within the Allotments (Scotland) Acts 1892, 1922 and 1950, which are repealed in their entirety.

3.2 Community Empowerment (Scotland) Act 2015 – Growing Spaces

In addition to the specific duty for the provision of allotments, CESA 15 gives community organisations, which may include growing groups, a range of new rights with regard to assets including land and buildings, and participation in the improvement, design and delivery of public services.

Part 3 of the Act allows community bodies to request to participate in the planning, improvement and delivery of public services. This may, for example, concern the use of lands in public ownership.

Part 4 extends the community's right to buy land in public or private ownership from rural areas to all parts of Scotland. This enables appropriately-constituted and representative community bodies the first chance to buy land that the owner has decided to sell, or in some cases to force the sale of land that has been abandoned or neglected by its owner.

Part 5 creates the right for community organisations to request the transfer (through sale, lease or gift) of publically-owned assets (building or land). All public bodies are required to hold a register of assets and make this publically available.

The responsibility of the local authority iterated in Part 9 of CESA is in respect of growing spaces for communities is that the local authority must prepare a food growing strategy which should identify land within its area for the community to grow vegetables, fruit, herbs or flowers.



WHERE ARE WE NOW?

4. POLICY CONTEXT

The benefits of food growing outlined in Section 2 are supported by a range of policies that assist local authorities and local communities in delivering suitable environments for allotments and local community initiatives.

4.1 Midlothian Single Plan/Midlothian Community Planning Partnership

The Community planning partnership is one of the key drivers for shaping improvement to local communities in Midlothian. The **Single Plan** which has a three year cycle is signed up to by communities, the public and third sector bodies. The Single Plan has three clear top priorities for the partnership which are:

- Reducing the gap in learning outcomes
- Reducing the gap in health outcomes
- Reducing the gap in economic circumstances

This food and growing strategy will contribute to these top priorities and, specifically to the following wider outcomes:

- People are able to improve their own health and wellbeing and live in good health for longer
- Our communities take a positive role in shaping their future
- There is a reduction in inequality in health outcomes
- Citizens are engaged with service development and delivery
- Environmental limits are better respected, in relation to waste, transport, climate change and biodiversity
- Midlothian is an attractive place to live work and invest in

4.2 Scottish Planning Policy (2014)

This national policy seeks to make efficient use of land to deliver long-term benefits for the public while protecting and enhancing natural and cultural resources. Allotments and community growing spaces are part of the provisions towards the green network and will deliver healthier and flourishing local communities.

4.3 Midlothian Local Development Plan (2017)

Midlothian has a rapidly expanding population and providing places to grow becomes a priority if the council is to meet its duties for provision under CESA 15. To address this masterplans for large scale developments including Shawfair, Hopefield, Redheugh and Bilston will encourage the provision of allotments and community growing spaces.

4.4 Midlothian Open Space Strategy (2012)

The strategy is being rewritten and will be published in 2021. It will identify allotments as key open space within the overall provision. Due to the obligations under CESA 15, allotments and growing spaces will have a more important role in the new plan.

4.5 Midlothian Green Network Supplementary Guidance (2018)

Allotments and community growing spaces are an important feature of creating well-connected green spaces across the area. The green network will help to support off-road cycling and walking routes that connect key greenspaces such as allotments.

4.6 Scottish Allotment and Gardens Society (SAGS)

SAGS provide detailed guidance on all aspects of good **allotment site design** and have been instrumental in shaping **Part 9 of CESA 15** which relates to allotments and growing spaces.

4.7 Midlothian Community Planning Partnership Draft Food Statement

The Partnership will issue a statement on food growing in the emergent Single Plan 2020. The draft statement is:

“Midlothian residents have access to healthy affordable food and skills to grow and cook this. Produced both as sustainably and as close to the point of use as possible; and access to land on which to grow their own food either at home, in community gardens, civic planting, allotments or smallholdings. Local producers are valued. Links between communities, local producers and farmers are encouraged to help strengthen the Midlothian food economy, providing local employment, training and volunteering opportunities”



WHERE ARE WE NOW?

5. ALLOTMENTS AND FOOD GROWING IN MIDLOTHIAN

5.1 Deanburn Allotments in Penicuik

There is currently one council-owned allotment site in Midlothian which is located at Deanburn in Penicuik. The site has 12 full plots (ca 160m²) and 28 half-plots. For the last ten years only half-plots have been allocated to those on the allotment waiting list and it is likely that eventually the site will comprise nearly all half plots.

Midlothian Council administers the waiting list while managing and maintaining the site in partnership with the Deanburn Allotments Association whose purpose is, among other things, to streamline communications with the council. The association is also involved in plot inspections and undertakes various other tasks and projects that support plottolders and improve the running of the site.

The Council has regulations governing the plots which cover the basic do's and don'ts. There is a lease which plottolders are asked to sign and make payment before taking on a plot. The agreement is signed and payment made annually, and in advance, by plottolders who wish to retain their plot. The regulations and lease also provide a framework for sending improvement notices and termination of the tenancy following failure to properly cultivate and maintain a person's plot.

Over 81% of plottolders live in the Penicuik area with the remaining plottolders coming from Loanhead and Roslin with one each from Bonnyrigg and Lasswade. This indicates that the allotments are serving a population in the west of Midlothian.

Over the last 5 years the price of a plot has quadrupled. It was felt that plottolders were not growing food for reasons of poverty but for other reasons such as a healthy

lifestyle, a place to meet and knowing where vegetables come from. It was not felt that the plot price was a significant factor when choosing to have an allotment. The number of plottolders leaving the site following the price increases was negligible.

Full Plot £97.90/pa
Half Plot £47.85/pa

5.2 Types of Community Growing

Community-based or collective growing activity happens in different forms. Large, formal community gardens that are open to all members of the public are relatively resource-intensive and can be difficult to sustain for smaller volunteer-led organisations. Throughout Midlothian, community growing also takes place in the grounds of churches and public-sector buildings, schools and nurseries, small beds within public green spaces or parks, and properties owned or leased by charities or social enterprises.

Throughout Scotland, it has proven difficult for small-scale community gardens to become sustainable social enterprises. It is very challenging to produce and sell enough food to cover operating costs. Community gardens do form important parts of larger social enterprises, for example, **Locavore** in Glasgow, but these are much bigger operations with diversified income streams.

5.3 Current Community Food Growing Projects

There has been an increasing level of interest in community growing, gardening and related food activities in Midlothian over recent years, as demonstrated by the numbers of local organisations, charities and social enterprises that seek Third Sector Interface support for development of these projects. There are several grass-roots, volunteer-led community growing operations throughout the county, and a smaller number of community gardens with some element of staffing support. The staffed projects tend to be projects belonging to larger charities, development trusts or social enterprises.

Levels of financial investment to start and sustain community growing projects are low across the country. The sustainability of grass-roots gardens is a challenge, and for a variety of reasons including loss of funding and/or volunteers, some community gardens that had been established in the past have now ceased to exist or fallen into disuse.





WHERE ARE WE NOW?

5.4 Community Gardens

Established community gardens currently include:

- Cyrenians Midlothian Community Hospital Garden (Bonnyrigg)
- Glencorse Community Garden (Auchendinny)
- The Link Community Garden (Loanhead)
- Volunteer Midlothian garden Dalkeith Country Park

Newer gardens and growing operations include:

- Mayfield and Easthouses Development Trust (Mayfield Bowling Club)
- Gorebridge Development Trust garden (The Beacon, Gorebridge)
- Bilston Community Garden (by Bilston Primary School)
- Pathedible: small community orchard/beds (Pathhead)
- Bonnyrigg After School Club (by Woods Court, Bonnyrigg)

Food production levels across all of these vary seasonally and depending on investment and volunteer capacity (both in terms of time and expertise).

There are numerous other growing sites around Midlothian that are run by Third Sector organisations, social housing providers and schools/nurseries, with varying levels of activity and output.

5.5 Growing Together Midlothian Partnership

In 2017/18, Social Enterprise Alliance Midlothian (part of the Midlothian Third Sector Interface) collaborated with the Federation of City Farms and Community Gardens Scotland to support a new partnership of community growing groups in the area. This project, funded by the Scottish Government's Social Innovation Fund, sought to build a self-supporting network across all of the groups, so that they could share resources and expertise, and build sustainability through increased trading opportunities. Over a series of

meetings, community growers came together to identify their common aims and goals. These included:

1. Growing Community Growing – enabling our work, individually and together, to be more widespread, sustainable and successful.
2. Growing Community Enterprise – developing enterprises and income generation streams based around community growing, food and the environment.
3. Growing our Impact- through working more strategically, with strong partnerships in the third, private and public sectors.

Following the conclusion of the funded project, Growing Together Midlothian functions as a network of people and organisations who provide each other with peer-to-peer support and information, publicize each other's activities, and exchange knowledge. They engage with a variety of topics linked with community growing, including volunteering, community development, place-making, environment/climate and health. Through Growing Together Midlothian, community growers in Midlothian are now better linked both to each other and to local and national support bodies.

Growing Together Midlothian has an active Facebook page, maintained by the Third Sector Interface, and an information website. The project has brought a number of new growing groups into contact with the TSI and Social Farms and Gardens, and these are now accessing development support for their own operations. Relationships between the groups were built, and these continue to evolve in a range of ways.

5.6 Mapping Research

The Social Innovation Fund project included research to map the scale of community growing in Midlothian, as well as the motivations people have for getting involved, the types of activity within each project and the issues and challenges that projects face.

The research highlighted a number of key points:

- Food growing in itself is not the primary motivation for many of the volunteers or staff who informed the research. More people reported being motivated by the desire for increased social interaction and to improve their personal health and wellbeing.
- Participants feel that the greatest impacts of community growing are increased skills and learning and social inclusion. Increased production of local food ranked at the bottom of the list of impacts. This suggests that the volume of food being produced remains small and that the process of community growing is currently of greater value than the product.
- As a result of the above, there is not yet a supply chain between local community-grown produce and retail or catering outlets.
- Securing the long-term sustainability of community gardens supported by grant funding is an ongoing challenge.
- To increase yield and sustainability, and to make an impact upon food poverty within Midlothian, the sector requires both community development support and hands-on horticultural expertise. Groups report that they have found it difficult to access the support they need or have not sought external support.
- Volunteers account for around 90% of the overall workforce within community growing projects in Midlothian.
- The greatest challenges that participants reported centred around difficulties with attracting/keeping volunteers or managing difficult ones, vandalism and theft and financial sustainability. Access to good quality land was seen to be less of a constraint than these issues.
- There are sometimes challenges posed by differing ambitions among volunteers.



WHERE DO WE WANT TO GET TO?

6. OBJECTIVES AND ACTIONS FOR ALLOTMENT PROVISION 2020-2030

6.1 Objective: Ensure Adequate Provision of Allotments by Assessing Demand

Duties Under CESA15 to Meet Demand

The Community Empowerment Act requires that this council must ensure that:

- (a) the number of persons on the allotment waiting list is no more than one half of the total number of allotment plots owned and leased by the authority
- (b) a person entered on the waiting list does not remain on the list for a continuous period of more than 5 years.
- (c) the council local must take reasonable steps in regard to the desirability of making available allotments that are reasonably close to where people live.

Evaluating Future Allotment Demand

In terms of demographics there are in the region of 40,000 residential addresses in Midlothian. It is estimated, using GIS analytics, that around 1200 households do not have a garden, which equates to approximately 3% of residential dwellings. This means only a small percentage of Midlothian's residents may require an allotment based on access to garden ground.

The allotment waiting list for Deanburn currently stands at 5. With 28 half plots and 12 half plots, the average waiting time is around a year to eighteen months. For the last 5 years no-one has had to wait more than two years before being allocated a plot if they are prepared to take a plot at Deanburn. Only half plots are offered to those on the Waiting List.

The majority of those on the Waiting List live in the west side of Midlothian where access to Deanburn is closer. It is therefore understood that demand in the Penicuik area is being met. However, the council has not provided opportunities for

people to take up an allotment in other settlements. The Midlothian Council website only refers to the allotment site at Deanburn and therefore the real level of demand in other areas of the county cannot be easily assessed. If plots are demanded in areas other than Penicuik where there is currently no provision and we cannot provide plots we risk, under CESA 15, being in breach of the legislation.

It is also worth considering the nature of the demand. At least 85% of allotment holders have garden ground associated with their property. This means that it is unlikely that the reasons for people wishing to grow their own food is for reasons of poverty. It is likely therefore that allotmenting in Midlothian is largely a recreational pursuit.

There is therefore no simple way to determine future demand and assumptions for future provision. However, a key driver for allotment provision will be compliance with the CESA 15, which requires allotments are located close to where people live.

Additionally, there is a requirement under CESA 15 that all new plots will be no less than 250m² unless specified by the person requesting the allotment. This size of plot was rejected by most local authorities as being too large for all but the most zealous allotmenters. A consequence of this decision is that planners, house builders, developers and the council more widely must set-aside considerable areas of ground in order to create only few allotment plots at a given location which may impact detrimentally on the Council's ability to meet future demand.

It would be reasonable to assume that in the future the Council should consider having allotment sites in the east, south, central, and north parts of the council area in order to that there reasonable access from most of the urban settlements.

Meeting Demand Through New Housing Development

One of the key opportunities for the creation of new allotment sites will be as a consequence of new development. Masterplans for large scale developments including Shawfair, Hopefield, Redheugh and Bilston will give consideration to the provision of allotments. These locations, if they provide allotments, will give a good geographical spread across the council area. They will also provide allotments closer to where people live and, in particular, enable more people living in areas where there are socio-economic disadvantages better access to allotments than is currently the case.

Action 1: Include Provision of Allotments and Growing Spaces in Local Development Plan

Meeting Demand Through Council-owned Land Allocation

The Council has also searched for potential land on its existing estate. The search has yielded limited results. There are very few sites where allotments would be suitable. Further to this, the large size of individual plots required under CESA 15 means that the opportunity cost of land for allotments becomes largely unviable when only, for example, four plots can be accommodated and where the cost of construction will run into many tens of thousands of pounds.

Action 2: Produce List of Potential Sites for Allotments on Council-Owned Land



WHERE DO WE WANT TO GET TO?

6.2 Objective: Ensure New Allotments are Suitably Designed and Constructed

Design

Proposed allotment sites need to have more facilities than is the case with the existing site at Deanburn. It is critical therefore that the design of new allotments is fit for purpose and meets the council's obligations under equalities legislation for suitable accessibility.

A vital consideration in the location of sites will be to ensure the land being proposed is not contaminated. There is a recognised system for assessing whether land is suitable for growing foodstuff and is detailed in the Scottish Government Statutory Guidance. An environmental risk assess will normally be required which may include soil sampling and evaluation by a competent expert. Allied to the ground health will be the soil which must be analysed to ensure that it has the appropriate qualities for growing crops.

While ploholders are likely to prioritise access, good infrastructure and site security, the general public will prefer a design that creates an asset for the whole community and that is sensitive to the quality of the local landscape.

This is particularly important when it comes to security fencing or other boundary treatments which can be very conspicuous in new developments. Green weldmesh fencing augmented by judicious screening with shrubs has been used successfully at a number of facilities in order to create a more integrated and attractive boundary treatment.

While there are sound environmental reasons for encouraging access to the allotment on foot or bicycle, there will need to be vehicle access and parking for the benefit of ploholders with restricted mobility, and to enable deliveries of manure and other essentials.

Moreover, there will need to be consideration of issues such as toileting and power supply. The Scottish Allotments and Garden Society provides a very comprehensive [design guide](#) for the development and construction of allotments.

The planning and design of new allotments is therefore required to consider:

Ownership	Location & setting	Toilets
Landscaping	Accessibility	Parking
Number of plots,	Security,	Storage
Soils	Services	

Action 3 Ensure Design and Location of Allotments is Compliant with Equalities Act, Meets Best Design Principles and is Suitable for Growing Food Where Practicable. (See Appendix 3)

6.3 Objective: Allotment Plots Designed to Alter Size to Suit Customer's Needs

Plot Size

It is anticipated that the 250m² threshold size will be far too large for most users. Efforts will be made to design plots that are flexible so that a quarter (ca. 62.5m²) a half (ca. 125 m²) and three quarters (ca. 187.5m²) of the full size are available to those on the Waiting List. This is because it is the experience of this authority that most users cannot manage and maintain a plot of 250m².

This mean that the design of individual plots with an allotment must have the flexibility to offer smaller sizes of plot.

Action 4: Prepare Plot Design Guide

6.4 Objective: Ensure New Allotments Plots are Allocated Fairly and Support Local Need

Local Plots for Local People

When a potential area for a new allotment site is identified a consultation exercise will be undertaken. Local people will be encouraged to register for allotment plots and support development.

Action 5: Undertake Local Consultation When New Allotment Sites are Planned and Advertise Opportunity for Plots to Surrounding Community

6.5 Objective: Ensuring Biodiversity is Promoted on Allotment Sites

Biodiversity

Although the primary purpose of allotment sites is to grow food they offer many other benefits and their contribution to supporting wildlife in urban areas can be significant. They form some of the best habitat mosaics and wildlife corridors, often linking up with parks, tracks, hedgerows and other greenspaces.

There are opportunities to improve biodiversity of an allotment site through suitable management of plots that encourage wildlife and to support ploholders. To enhance biodiversity on allotments each new ploholder will be issued with a leaflet on how to encourage wildlife but not compromising cultivation and maintenance standards (See Appendix 3).

Action 6: Prepare Biodiversity Gardening Leaflet for Issue to New Ploholders



WHERE DO WE WANT TO GET TO?

6.6 Objective: Allotment Waiting List Must be Actively Managed and Maintained

Management of Allotment Waiting List

CESA 15 requires the council manages and maintains and allotment waiting list. The council already pro-actively manages its list. In order for us to do this effectively customers are requested to provide up to date contact details and those on the waiting list are contacted annually to check that they still have an interest in obtaining a plot.

Action 7: Review of Waiting List Procedures to Ensure Compliance with CESA15

6.7 Objective: Waiting List Number Must be Kept Below Statutory Thresholds

Waiting List Numbers

CESA 15 places a duty on local authorities to take reasonable steps to ensure that the number of people on the Waiting List is not more than one half of the total number of allotment plots owned by the authority and that a person entered on the list does not remain on it for a continuous period of more than 5 years.

Action 8: Undertake Quarterly Reporting On Allotment Waiting List Times and Numbers to Monitor Risk of Breach of Statutory Thresholds

6.8 Objective: Ensure Allotment Regulations Approved for Council Plots

Allotment Regulations

The council already has regulations but it has reviewed these to ensure that respective responsibilities of plotholder's and the council are clear. This will help facilitate the smooth running of the allotments – see Appendix 5.

A key part of the review addresses plots which do not meet the required standard of cultivation and

maintenance. Currently the allotment holder is sent an improvement letter and given 21 days to rectify. The result of unsatisfactory improvement will be a final warning letter with 14 days to rectify the plot. Failure to rectify will result in a termination letter being sent making the plot vacant within 7 days. CESA 15 simplifies this process by indicating that after a warning letter is issued a month will be given to rectify the plot and if, after 4 weeks, there is insufficient improvement the lease can be terminated.

If there are mitigating circumstances such as illness, then consideration can be given to introducing extension. If no action is taken a termination letter is sent.

Although there is an appeal process against the termination the review process will give consideration to the requirement for at least 3 other allotment holders to support the appeal.

Action 9: Undertake Review of Allotment Regulations to Ensure Compliance with CESA 15

6.9 Objective: Ensure Proper Consultation on Regulations Is Carried Out

Allotment Regulations Further Procedure

Under CESA 15, at least one month before making regulations, the council must place an advertisement in at least one newspaper giving notice of our intention to make regulations. This exercise was undertaken in December 2019.

A final draft of the new regulations is included in Appendix 5.

The review process will include the following stages:

- | | |
|--------------------------------------|--------------------|
| Prepare draft regulations | Strategy group |
| Legal screening | Midlothian Council |
| Consultation on draft regulations | Strategy Group |
| Analysis of consultation | Strategy Group |
| Revision of regulations | Strategy Group |
| Approval and adoption of regulations | Midlothian Council |

Action 10: Prepare Plan for Consultation on Regulations

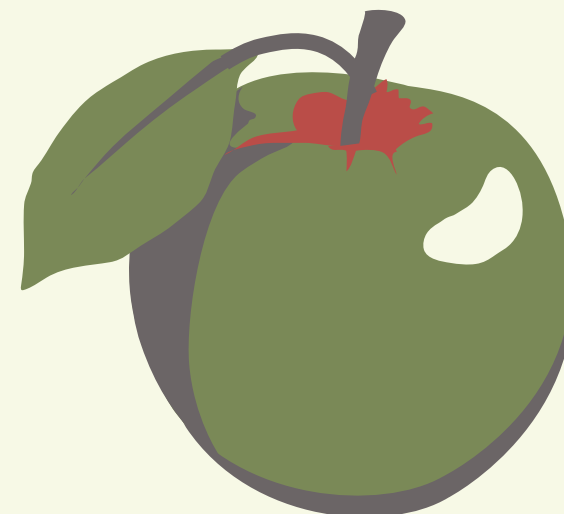
6.10 Objective: Management of Sites by Allotment Association

Management of Sites by Allotment Associations

To date the allotment association at Deanburn has been pro-active and assists with inspections and reporting issues to the council. It also sends email reminders to individuals when the condition of plots falls below the expected standard. This reduces the number of improvement notices the council has to send.

The council will be open to allotment committees and other legitimate bodies taking more responsibility for the management and maintenance of allotments where the public's access to such sites is safeguarded

Action 11: Provide Advice to Emergent Allotment Associations on Different Models for Involvement





WHERE DO WE WANT TO GET TO?

6.11 Objective: Community Planning Partnership (CPP) to Make Land Available for Community Growing

CPP Leadership for Community Growing

Demand for community growing land in Midlothian has varied over the last ten years. Demand is partly dependent on the level of grassroots activity. To date, requests to public bodies for community growing land have been on an ad-hoc basis.

However, in line with the principles of the CESA15 it is the role of all of Community Planning Partners to work collaboratively with community groups to enable sites in public ownership to be used for community growing. The types of land public bodies can offer to local groups might include:

- public parks and greenspaces
- school grounds
- land around health centres, police stations or other public buildings;
- vacant and derelict land
- town centre bedding areas

Given the potential demand for community growing sites, Midlothian Council now identified two potential sites in most of the key urban settlements including Newtongrange, Shawfair/Danderhall, Penicuik, Dalkeith, Bonnyrigg, Loanhead, Mayfield/Easthouses and Gorebridge. The smaller rural settlements such as Rosewell, Pathhead and Roslin one site has been identified in each for community growing – see Appendix 6.

Midlothian Development Plan has options to supply community growing spaces in major new housing

developments if allotments are not required thereby providing another route to meet demand if required. Community planning partners should follow good practice guidance set out by the Community Land Advisory Service (Scotland) when offering land to local groups.

It is a requirement of CESA 15 that community growing spaces address issues of socio-economic disadvantage. The three key settlements where there is socio-economic disadvantage as measured by the Scottish Indicators of Multiple Deprivation (SIMD) are in Dalkeith /Woodburn, Mayfield/ Easthouses and Gorebridge. There are also single datazones (areas of around 350 houses) in Loanhead and Poltonhall identified in the 2016 SIMD as facing difficulties. Council-owned growing spaces will be identified either within the areas of deprivation or close by where land suitability allows. Over 50% of Midlothian Households in poverty (measured by being in receipt of less than 50% of national average income after housing costs) are not in the SIMD identified areas, but spread across the settlements with higher concentrations of public sector tenancies and private rentals. The intended spread of allotments and community growing spaces across Midlothian will improve access. The development of community growing spaces will enable residents on low incomes to be involved in growing who might struggle with the cost of operating an allotment.

Action 12: Midlothian Council to Identify Sites for Potential Use by Community Growing and Prepare Location Plan

Action 13: CPP Partners including NHS, Police Scotland, Fire and Rescue, Edinburgh College and University of Edinburgh agree to make land on their estates available for community growing.

Action 14: CPP Board to actively promote available land on their estate for community growing in support of this strategy.

Action 15: CPP Board will issue guidance for groups who wish to undertake growing projects on their estate.

6.12 Objective: Community Planning Partnership to Promote Community Growing

Board to Champion Community Growing

The Community Planning Partnership recognises community growing as an activity that supports its key strategic objectives, supporting Midlothian's communities and achieving significant environmental benefits.

The Community Planning Partnership Board has a vital role to play not only in making land available but also as the lead in championing community growing.

The promotion of community growing to grass roots organisations will help to remove barriers to access land while at the same time raising awareness of the opportunities for local growing.

Action 16: CPP Board to actively promote benefits of community growing on website and link to land availability



WHERE DO WE WANT TO GET TO?

6.13 Objective: Provide Support to Local Growing Organisations

Support to Local Groups

Many groups who wish to undertake a growing project are embarking on the process for the first time. Midlothian Third Sector Interface (TSI) will provide one to one support for local groups in order to enable more success with the development and implementation, and will link groups with other national sources of support, such as Social Farms and Gardens Scotland

Action 17: TSI to provide one to one support and networking opportunities to local community groups who are developing growing projects in Midlothian.

6.14 Objective: Provide Support to Network of Growing Sites

Community Growing Networks

Growing Together Midlothian have identified there is potential to create a network of growing sites across Midlothian. These sites will create a biodiverse environment of edible and tasty sites (EATS) / landscapes' using under-used or derelict green spaces, including community orchards (native fruits), herbs, berries and wildflowers.

It was also identified that people need more access to the skills to grow in these spaces and therefore opportunities for people to learn are crucial to the development of the network.

Action 18 The Midlothian Food Alliance and Growing Together Midlothian to work in partnership to support local communities and projects; increasing communicating and promoting best practice

Action 19 TSI to collaborate with Social Farms and Gardens Scotland to seek funding to create and support a network of volunteer local growing champions who will act as advocates for community growing in Midlothian

6.15 Objective: Promote and Develop Different Types and Ways of Growing To Encourage Take Up

Promoting the Types of Growing Space and Different Ways of Growing Food

Growing Together Midlothian identified promotion and awareness raising as being integral to getting more people growing. There are many different **models for growing** ranging from allotments to community growing spaces through to orchards and edible hedgerows. (See Appendix 7)

By making the accessibility easier in terms of peoples knowledge and commitment required then it is felt the network will development more rapidly.

Action 20: CPP will adopt and disseminate guide for community growing schemes that can be used in neighbourhoods and new housing estates.





WHERE DO WE WANT TO GET TO?

7. Implementation Plan

Reference Code	Food and Growing action plan 2018-21						Ownership
	Actions	Due Date	Performance Indicator	Target	Baseline	Previous trend data	Team
1	Include Provision of Allotments and Growing Spaces in Local Development Plan	2020 Onwards	Sites identified in Local Plan	4 sites Identified in Local Plan	0	New target	Planning
2	Ensure Design and Location of Allotments is Compliant with Equalities Act, Meets Best Design Principles and is Suitable for Growing Food	2020	Design compliant when developers complete works	No sites fail standards	0	New Target	L & C
3	Prepare Allotment Plot Design Guide	2022	Production of design guidance	Design Guide contained in strategy document	1	New target	L & C
4	Undertake local consultation when new allotment sites are planned and advertise opportunity for plots to surrounding community	N/A	Consultation to be undertaken by developer and/or council before construction	Each site has a record of community engagement process and feedback is seen to have been used	0	New target	L & C/ Planning Developer
5	Prepare biodiversity gardening leaflet for issue to new ploholders	2021	Distribute to all existing and new Ploholders	1 Leaflet prepared and number issued recorded	0	New target	L & C Business Support
6	Review of Waiting List Procedures to Ensure Compliance with CESAct15	2020	Procedure approved	To have reviewed and updated 1 procedure document by June 2020	0	New target	L & C
7	Undertake Quarterly Reporting On Allotment Waiting List Times and Numbers to Monitor Risk of Breach of Statutory Thresholds	2020 onwards	Business Support to provide L & C with list of quarterly list of waiting times and Alerts for any potential or actual breach of allotment provision under CESA15	1 waiting list with and information on potential breaches to be produced quarterly	0	New target	Business Support
8	Undertake Review of Allotment Regulations to Ensure Compliance with CESA 15	2020	Review Allotment Regulation in advance of March 2020	1 Review completed and published	0	New target	
9	Prepare Plan for Consultation on Regulations	2020	Allotment Regulations to be consulted with key stakeholders and approved by Council	Regulations approved by March 2020	0	New target	L & C
10	Provide advice to emergent allotment associations on different models for involvement	Ongoing	Advice given as required	Record of advice given kept of instances of advice in year 1	0	New target	
11	Midlothian Council to Identify Sites for Potential Use by Community Growing and Prepare Location Plan	March 2020	List of sites to be prepared.	Location plan completed and available on Council website	0	New target	L & C Planning



WHERE DO WE WANT TO GET TO?

7. Implementation Plan continued...

Reference Code	Food and Growing action plan 2018-21						Ownership
	Actions	Due Date	Performance Indicator	Target	Baseline	Previous trend data	Team
12	CPP Partners including NHS, Police Scotland, Fire and Rescue, Edinburgh College, University of Edinburgh agree to make land on their estates available for community growing.	2022	List of potential sites from partnership to be prepared.	Location plan completed and available on CPP Facebook page and partners websites	0	New target	CPP
13	CPP Board to actively promote available land on their Estate for community growing in support of this strategy.	2022	Web page to be prepared on Council website with links to partners websites	1 Web page and links in place by March 2022	0	New target	CPP
14	CPP Board will issue guidance for groups who wish to undertake growing projects on their estate	2022	Guidance to be prepared and uploaded to website	Guidance available by March 2022	0	New target	CPP
15	CPP Board to actively promote benefits of community growing on website and link to land availability	2022	Web page as per Action 14 to promote benefits and list land available on their land.	Number of hits recorded on web page	0	New target	CPP
16	TSI to provide one to one support and networking opportunities to local community groups who are developing growing projects in Midlothian.	2020-2030	MVA to offer options for support	Number of instances of support delivered to be recorded	Insert Current number	New target	MVA
17	The Midlothian Food Alliance and Growing Together Midlothian to work in partnership to support local communities and projects; increasing communicating and promoting best practice	ongoing	Report on partnership working: events, meetings, programmes of work	Sustainable and effective projects: increasing in number and size		New target	MFA and GTM
18	TSI to collaborate with Social Farms and Gardens Scotland to seek funding to create and support a network of volunteer local growing champions who will act as advocates for community growing in Midlothian	2021	Funding application to be prepared and submitted	1 funding bid per year	0	New target	MVA
19	CPP will adopt and disseminate guide for community growing schemes that can be used in neighbourhoods and new housing estates.	2022	Guide as per Action 16 to be distributed to Community council areas	Local area guides to sites and processes for adoption by March 2022	0	New target	CPP



APPENDIX 1

PROFILE OF THE AREA

(A full annual data profile is available on the Council website 'Yourcommunity' pages at: www.midlothian.gov.uk/downloads/download/31/community_planning_structure_and_profile)

Midlothian is a small geographic area on the outskirts of the City of Edinburgh, characterised by small town and village settlements in a rural setting bounded by the Moorfoot and Pentland Hills at each side and bisected by the valleys of the rivers North and South Esk, which join in Dalkeith and flow to the Forth estuary at Musselburgh in East Lothian. The area has a history of agriculture and market gardens providing food for the Edinburgh urban population combined with heavy industry of mills and mines replaced gradually since the 1960s by increasing commuting settlement expansion to serve the Edinburgh labour market.

Midlothian's population in 2017 was estimated at 88,610 in the Mid-Year Populations estimates published by the National Records of Scotland (NRS), an increase of 5,423 on the Census 2011 estimate of 83,187, and a 6.51% increase on the 2001 Census record. Midlothian's population is growing. The most recent population projection predicts a population of 99,090 by 2027 (previously predicted as 93,672 by 2027). There is reason to believe due to planned development that the population will significantly exceed this prediction.

Overall, Midlothian has lower than Scottish average levels of social exclusion; however, geographic pockets of multiple deprivation remain, particularly in Dalkeith & Woodburn, Mayfield & Easthouses, and Gorebridge. In addition, two areas within Bonnyrigg and Loanhead also now emerging as areas of concern. Workers in Midlothian consistently earn less than the Scottish median earnings per week. Midlothian residents in 2015 earned on average £497.40 per week. This compares to the Scottish equivalent of £527.00.

It is estimated that there are at least 700 reasonably formal groups and organisations currently operating in Midlothian. This includes approximately 270 charities, plus local offshoots of national organisations. The Third Sector contributes hugely to local communities, e.g. supporting vulnerable people; providing services (both formal and informal); employing local people; purchasing local services and goods, and promoting social inclusion. 29% of the population currently volunteer each week in their community.



APPENDIX 2

Consultation and Stakeholder Engagement

COMMUNITY PLANNING BOARD

Alasdair Mathers, Midlothian Council

Alison McCallum, NHS Lothian

Angus McCann, MIJB

Angus MacInnes, Police Scotland

Catherine Johnstone, Midlothian Council

Lieutenant Colonel Hugo Clark, Edinburgh Garrison HQ

Elaine Morrison, Scottish Enterprise

Frank Beattie, Scottish Enterprise

Garry Clark, Federation of Small Businesses

Gemma Gallacher, NHS Lothian

George Archibald, Chamber of Commerce

George Wilson, Midlothian Voluntary Action/Volunteer Midlothian

Gill Jardine, Department of Work and Pensions

Grace Vickers, Midlothian Council

Grant McDougall, Skills Development Scotland

Jim Muirhead, Midlothian Council

Karen Leslie, Edinburgh Garrison HQ

Keith Barbour, The Business Partnership

Keith Fiskien, SEStran

Kevin Anderson, Midlothian Council

Lesley Kelly, Midlothian Voluntary Action/Volunteer Midlothian

Lothian Scottish Borders Command Support, Police Scotland

Lynn Wilson, Midlothian Council

Malcolm Spaven, Federation of Community Council

Mary Smith, Midlothian Council

Michael Jeffrey, Edinburgh College

Penelope Curtis, Scottish Government

Peter Smaill, Midlothian Council

Stephen Gourley, Fire Scotland

OTHER COMMUNITY AND GROWING ORGANISATIONS

Deanburn Allotments - waiting list and Deanburn Allotments ploholders



Allotment and Food Growing Strategy 2020-30

Site and Plot Design Guide

Preamble

The design of allotments has moved on in the 40 years since the council's existing site at Deanburn was laid out. The Scottish Allotment and Gardens Society has prepared extensive guidance on the design of new allotments in its Scottish Allotments Design Guide. This appendix is a summary of the key requirements when proposing new allotment sites.

New allotment sites need to be designed to meet the needs of a range of individuals so that constraints on the opportunity to grow food are minimised. The design of new allotments must therefore be fit for purpose and must meet the council's obligations under Equalities legislation.

Ownership

Under normal circumstances, new allotment sites will be located on land owned by the council or, on land which is proposed for development by house-builders. In the strategy, the first of the new allotment sites will most likely be established by developers. Therefore agreements may need to be reached between the council with third parties regarding construction, management, maintenance and administration of the proposed site.

Site Location

A critical step when selecting a proposed site is to ensure it provides optimal conditions for growing food. An initial survey of the site should assess whether there are or, could in the future, be impediments to successful growth.

The site should not be near to tree plantations or hedge planting that overshadows plots within the allotment. The aspect of the site will best be south facing. A neutral

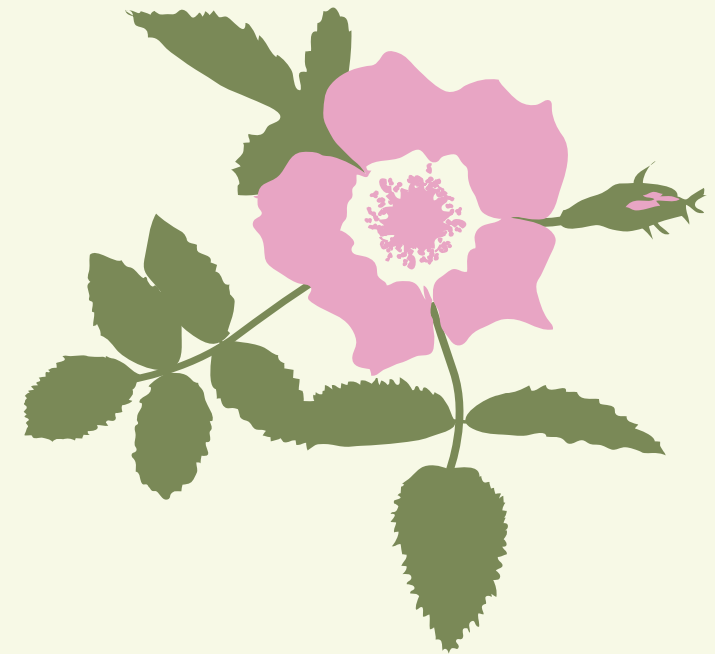
aspect will normally be fine but a north facing slope may not be acceptable. Drainage must be adequate and not waterlogged unless water mitigation measures are proposed.

The location of the site and the interior layout should be accessible to blue badge holders, wheelchair users and vehicles such as tractors for delivering materials.

The Community Empowerment (Scotland Act) Act 2015 Part 9 stipulates that those on allotment Waiting Lists must be offered a 250m² plot unless otherwise requested. Therefore the number of plots likely to be made available can be assessed using this size as a guide. See Figure 1 Indicative Allotment Layout below.

The location and size of site will also be determined by the requirement to provide:

- a secure communal storage unit such as wooden clad container accessible wheelchair users - the specific structure to be agreed with the council's planning service.
- a storage area near the site entrance to deposit materials such as manure and other bulky horticultural products required by ploholders and therefore space to manoeuvre vehicles such as a tractor to drop off these materials is essential.
- an adaptive plot with features such as raised beds should be located near the entrance when required.
- a 3m wide track through the site should vehicle and plant require access for maintenance purposes.
- car parking should be available within 50m of the site and a one or two bays suitable for disabled users should be located immediately adjacent to the allotment site.



Contamination Checks

The owner of the site has a responsibility to ensure the site is safe for use.. One of the key safety issues is the suitability of the ground for growing foodstuffs.

An environmental risk assessment will normally be required which may include soil sampling and evaluation by a competent expert. Allied to the ground health will be the soil which must be analysed to ensure that it has the appropriate qualities for growing crops. An assessment for contaminated land should be conducted.

There is a recognised system for assessing whether land is suitable for growing foodstuffs and is detailed in the Scottish Government Statutory Guidance. An environmental risk assessment will normally be required which may include soil sampling and evaluation by a competent expert.



APPENDIX 3

Security

It is customary for allotment sites to be enclosed with security fencing. The recommended type of fencing will be 2.0m high green weldmesh (with anti-climb design) including a vehicle gate. The specific details would require to be agreed with the planning service.

The communal container will required to be secure and yet accessible to all plotholders.

Services

All sites will require a water supply with standpipes and tap compatible for fixing hoses. All plots should be no further than 30m from a standpipe.

Electricity is optional at sites although in certain circumstances will be desirable.

Toilets

If resources allow, it would be beneficial to all plotholders to have access to a compost toilet. This would require to be accessible to wheelchair users. (At the time of writing there are ongoing resource issues relating to the collection and processing of the waste produced. Therefore decisions on inclusion of toilets will be made during the design stage to clarify whether resources can be allocated to management of waste).

Plot Design

a) Plot Sizes

It is anticipated that the statutory 250m² plot size will be too large for most users to cultivate to the required standard. Full size plots must therefore be sufficiently flexible so they can be divided in to a quarter (ca. 62.5m²), half (ca.125 m²) and three quarters (ca. 187.5m²) plots. The outline design (Figure 1) illustrates how this may be achieved. Each full size plot should be divided into 4 subplots of equal size by formal paths to allow smaller size plots to be let.

b) Raised Beds

An area at the entrance to the site should be set aside for adaptive raised beds when the need arises. If raised beds become a requirement then the heights of the raised bed should be no more than 86cm. The depth at the sides should be no lower than 69cm unless the tray declines to the centre of the tray.

c) Structures

Consideration may be given to including a garden shed for each 250m² plot. The shed should be no larger than 2.5m (length) x 2.0m (high) x 2.0m (wide) Further sheds will not be permitted unless by agreement with the allotment administration. If a 250m² plot is subdivided, tool storage units no larger than 2.0 m (length) x 1.5 m (high) x 1.0m (wide) may be allowed per quarter plot.

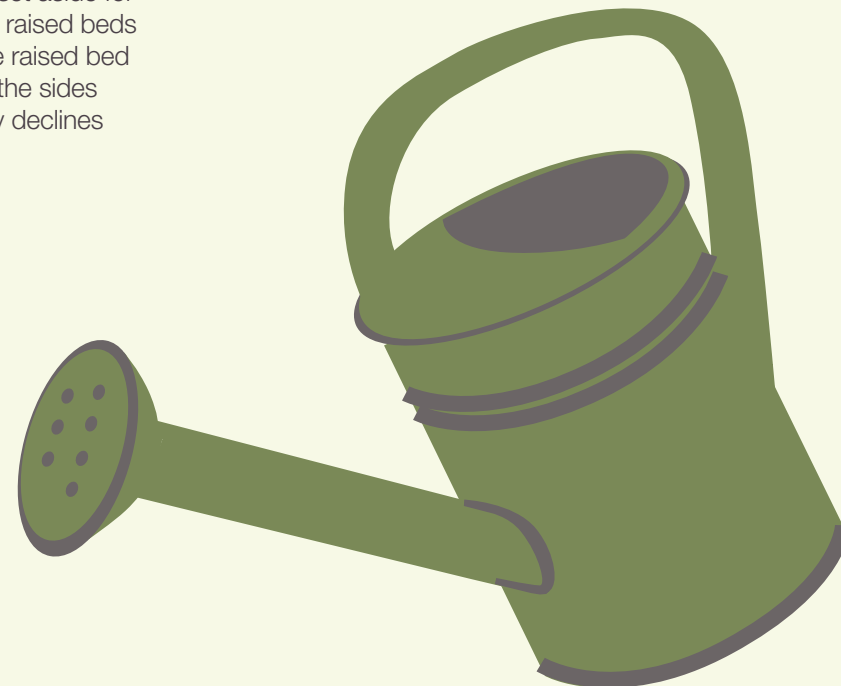


Figure 1 - Indicative Allotment Layout

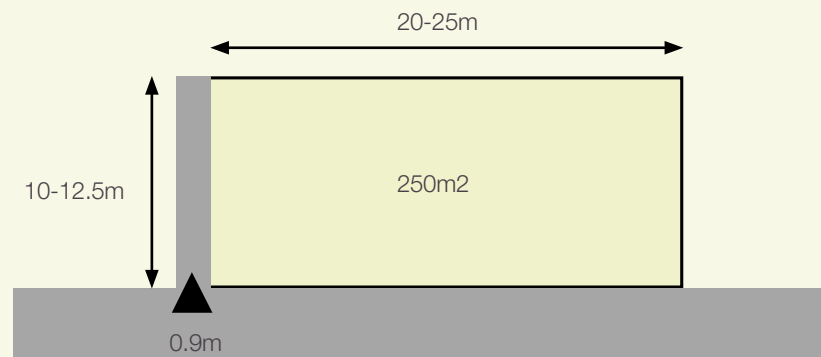
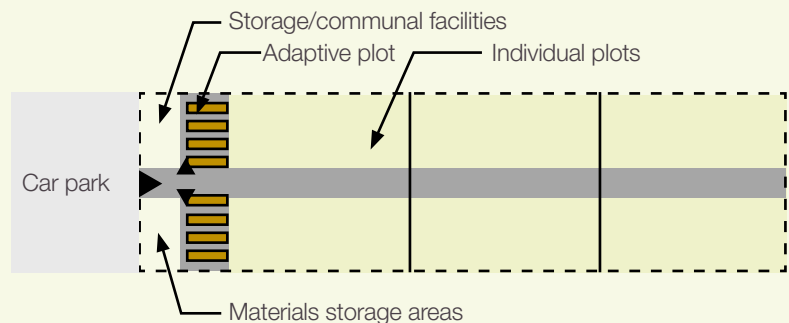
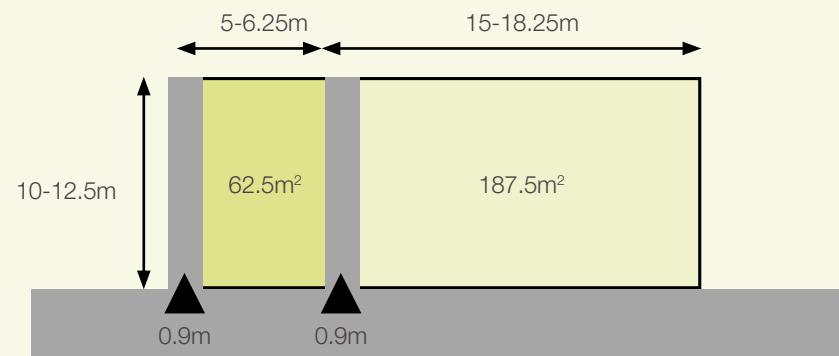
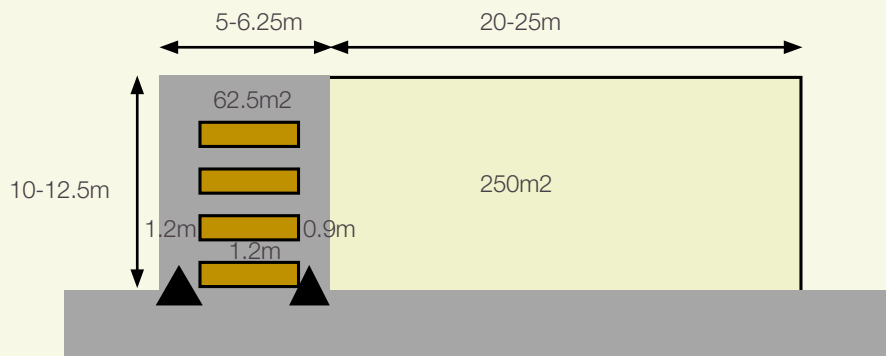
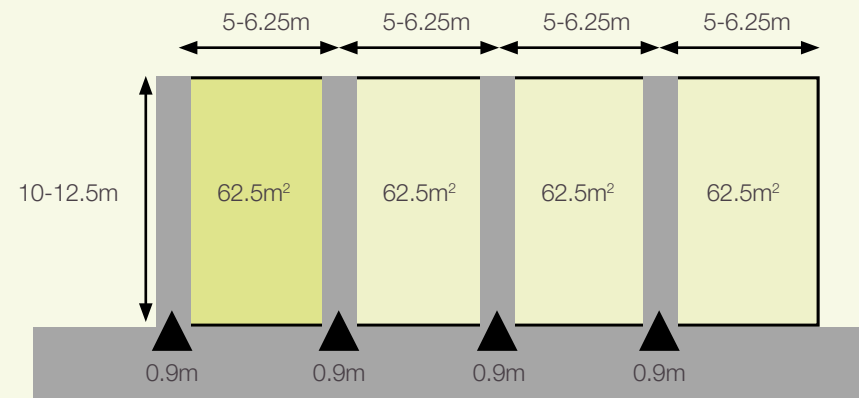
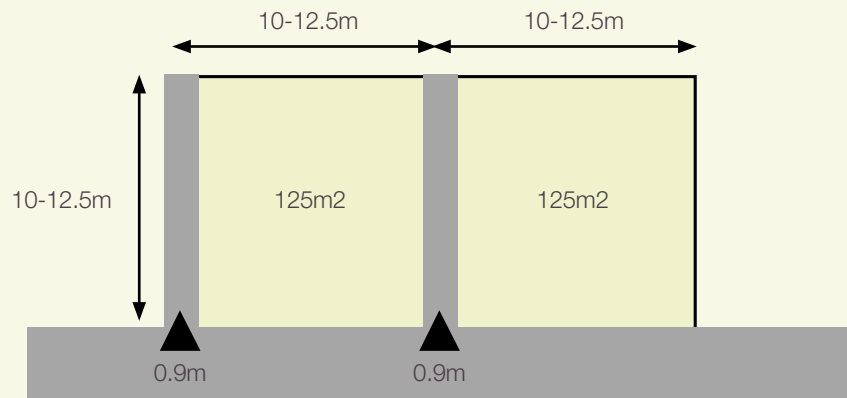


Figure 2 - Indicative Plot Layout Options

The drawings below indicate the proposed design for individual plots within the site to give flexibility and to enable the effective administration of plots in the likely event that plots are subdivided.







APPENDIX 4

Wildlife and allotments

Although the primary purpose of allotment sites is to grow food they offer many other benefits and their contribution to supporting wildlife in urban areas is significant. They form some of the best habitat mosaics and wildlife corridors, often linking up with parks, tracks, hedgerows, churchyards and rivers.

Plot-holders can help to support wildlife and ensure a balanced eco-system that will reduce pests and diseases and increase productivity by following some simple steps.

Tips for a wildlife friendly plot

- Reduce or eliminate use of chemicals, use companion planting and physical removal to combat pests such as aphids, slugs and sawfly
- Create habitats for wildlife; bee-boxes, hedgehog homes, log and stone piles for invertebrates, toads and slow worms who will also inhabit a compost heap
- Plant late, mid-season and early blooming nectar rich flowers to attract pollinators and beneficial insects all year round
- Make a pond, keep it ice free in winter by floating a ball on the top and ensure that it is safe for other plot-holders' children
- Feed birds through the winter and fit nesting boxes

Allotment sites can make communal efforts to be wildlife friendly by managing hedges appropriately and setting aside un-mown grassy areas to nurture insects and amphibians; a patch of nettles will provide both plant food and a breeding area for butterflies. Orchard areas managed in a traditional way provide potential breeding sites for many different species of wildlife.





APPENDIX 5

Rules and Regulations for Allotment Plots on Council-Managed Land 2019

Midlothian Council (“the Council”) has a statutory duty to provide allotments in terms of Part 9 of the Community Empowerment (Scotland) Act 2015 (“the 2015 Act”). These rules are made in support of this statutory function and to support those leasing allotment plots (“tenants”) understand their responsibilities. Where there is a contradiction between these rules and the 2015 Act, the terms of the 2015 Act including any regulations (“Regulations”) shall apply.

1 Allotment plot letting

- (a) For allotment plots on Council owned land, a request must be made in writing providing name, home address, personal telephone number and email address to business.services.support@midlothian.gov.uk or in writing to Business Support, Place Directorate, Midlothian Council, Midlothian House, 40-46 Buccleuch St, Dalkeith EH22 1DN or such other address as is publicised by the Council. Joint applications will not be accepted since the tenancy agreement will be in one person’s name only. Any changes to these details and Business Support must be advised. Failure to provide up to date contact details could result in being removed from the Waiting List.
- (b) Tenants with particular needs, including those arising from disabilities, should advise the Business Support officer accordingly in order that the Landscape and Countryside Service can consider reasonable adjustments to have physical access to their allotment as necessary.
- (b) The Council will maintain the Waiting List and will offer available plots to the first person on the list based on what has been requested or the next available size. Applicants may remain on the list until the prescribed size of plot has been offered. However, if a valid offer is refused due to personal circumstances, applicants will be moved to the end of the waiting list if the five year time limit prescribed by the Community Empowerment (Scotland) Act 2015 will be or has been exceeded.
- (c) Allotment tenancies will be prioritised to residents, 18 years or over, who reside within the Midlothian Council area. Individuals who live outside or move outwith Midlothian Council shall be entitled to an allotment tenancy subject to the waiting list not being over the 5 year limit. While sharing of an allotment is acceptable the tenancy cannot be in joint names. Only one person can sign the tenancy and is responsible for adhering to these rules.
- (d) The Council reserves the right to inspect any allotment sites and records without giving prior notice to ensure that allotment plots are being managed in accordance with these rules.
- (e) All tenants are required to sign an agreement in terms of the Allotment Tenancy Agreement annexed hereto, in advance agreeing to lease an allotment plot for that year and the following years and that they shall adhere to these rules and any that may pertain to the particular allotment site and/or any Regulations.
- (f) The tenant shall ensure that any change of address or contact details are notified as soon as reasonably practicable to the Business Support Officer at the address specified in 1(a) above. The Council / Association shall not be held responsible for any losses resulting from a failure by a tenant to provide information.
- (g) Should an existing tenant wish to increase the size of his/her allotment plot he/she shall submit a new application form and will be added to the end of the waiting list of applicants wishing to let an allotment tenancy.
- (h) Any applicant who accepts a smaller allotment plot than 250m² will be removed from the Waiting List. Should the tenant wish a larger plot at a later date, a new request must be submitted to join the waiting list.
- (i) Where a person who has had an allotment tenancy previously terminated by the Council or Association makes an application for an allotment tenancy it shall be considered taking into account the circumstances of the previous termination and any Regulation that may apply at that time.
- (j) A tenant shall not be sub-let or share occupation of any part of his/her allotment plot with any other person.
- (l) If an allotment tenancy is terminated, there will be no refund made.



APPENDIX 5

2 Charges

- (a) For Council managed allotment sites the annual subscription of the allotments will be due by 31 December each year. The annual subscription shall be set by the Council at its sole discretion.
- (b) The Council shall consider any subscription not paid in full within 30 days of the invoice date as an indication that the tenant of that allotment plot wishes to give up the allotment tenancy. Following a defined timescale, the Council shall be entitled to enter upon the allotment plot and remove all items and building or erections and make the allotment plot available for re-letting to another person
- (c) Changes to circumstances that affect your ability to pay, must be advised in writing to the Business Support Officer. The Council will review specific circumstances and offer support and guidance.
- (d) Annual subscriptions and any other charges that may be payable are subject to annual review and tenants will be notified of any increase in advance. To cover costs, charges are based on covering reasonable costs including administration, repairs, inspections, skips, deliveries and removals. Future major maintenance works and/or capital expenditure as well as tests to the market must also be covered.
- (e) When an allotment plot is allocated within a secure site, the combination padlock number will be issued to the tenant upon payment of a refundable deposit.
- (g) A concession in the rental for a plot is available to people who are unemployed.

3 Allotment plot management

- (a) All tenants shall be responsible for keeping their allotment plots in a clean and tidy condition at all times of year to the standard outlined in the rules and regulations at the Council's sole discretion. Allotment sites will be inspected by the Council and/or Association.
- (b) An allotment plot must be used for the sole purpose of growing vegetables, fruit and other produce and tenants may sell such produce grown (other than with a view to making a profit). At least 75% of individual allotment plots should be used for growing purposes.
- (c) All tenants shall be responsible for ensuring that weed growth is controlled and their allotment plots are cultivated by the end of April prior to the growing season all to a standard outlined in the rules and regulations at the Council's sole discretion, e.g. the allotment plot should either be: well underway in the process of being prepared for crops; in readiness for growing; or be well stocked with growing produce and seed heads should be removed before they set and pernicious weeds such as couch grass, ground elder, brambles or mares tail must be controlled.
- (d) A tenant shall be responsible for keeping the boundaries and paths adjacent to his/her allotment plot in a clean and tidy condition. Where a path is adjacent to two allotment plots, the respective tenants shall come to an agreement as to how it is to be kept clear of weeds and any obstructions failing which the Council or Association shall direct the tenants as to how this is to be done. The prior written consent of the Council and/or Association shall be obtained by a tenant regarding the location and size of any buildings to be erected within his/her allotment plot, which consent will not be unreasonably withheld if the

proposals do not unduly shade adjacent allotment plots or take up more than 25% of the said plot. It is recommended that sheds do not exceed 2.5m (length) x 2.0m (high) x 2.0m (wide). The Council or Association will be entitled to ask for whatever information it considers necessary in order to reach a decision as to whether such consent is to be given.

- (f) A tenant shall not allow trees on the allotment plot, with the exception of fruit trees which must be maintained within the allotment plot and which shall not grow into or cause shade to be cast on neighbouring allotment plots. Fruit bushes are permitted to be grown.
- (g) A tenant shall be responsible for ensuring that appropriate pest and disease control is carried out on the allotment plot.
- (h) A tenant must not allow his/her allotment plot to be used for the storage of glass, timber, refuse or any other material deemed unsuitable by the Council.
- (i) A tenant shall not do anything to adversely affect other allotment plots, including, but not limited to, spray damage, fertiliser run off, spreading/seeding weeds or any other activity that may cause damage and/or nuisance.
- (j) Crops, structures, etc on individual allotment plots are the responsibility of the tenant and the Council and/or Association shall not be liable for any incidents that take place and/or damage occurring to said items save where such incidents and/or damage are as a result of the actions of their employees or authorised representatives.
- (k) Tenants are encouraged to practice good housekeeping and sustainable practices, e.g. composting green waste on the allotment plot, the use of water butts for collecting water and responsible disposal of waste material.



APPENDIX 5

- (l) Where waste disposal facilities are provided, this is strictly for recyclable green garden waste only. Tenants are responsible for the removal of all other waste lawfully from their allotment plot by the following methods:
 - Suitable vegetable/green waste shall be composted within the allotment plot.
 - Other green waste should be disposed in green waste magazine (if provided).
 - If waste magazine is not provided, waste must be removed from allotment site by the tenant.
 - All non-compostable waste material must be removed from allotment site by the tenant.
 - Any breach of these conditions may be deemed as fly tipping and will result in the termination of a tenant's allotment tenancy.
- (m) Small scale burning using a closed vessel such as a chimnea is permitted however must be controlled and must not compromise adjacent allotment plots.
- (n) To increase sustainability and keep charges manageable, tenants are encouraged to harvest water within their allotment plots to supplement mains water provision where provided. It is not permitted to install additional water taps.
- (o) Where no mains water is provided, plot holders must harvest water within their allotment plot.
- (p) Tenants may sell (other than with a view to making a profit) surplus produce.

4 Structures and property

- (a) No greenhouse, polytunnel, shed or storage hut shall be erected on an allotment plot or in an allotment site by a tenant without the prior written consent from the Council who will advise of a suitable location to minimise or eradicate shading to other allotment plots. Caravans are not permitted on any allotment site.
- (b) Prior to the erection of a greenhouse, shed or other building / structure, the tenant shall provide construction details to the Council or Association for approval. Details shall include: type of structure; size of structure; height of structure; building materials; location on allotment plot (in order that it shall not result in any adverse effect on neighbouring allotment plots) and any other information considered necessary. It is recommended that sheds do not exceed 2.5m (length) x 2.0m (high) x 2.0m (wide).
- (c) Tenants are solely responsible for the safety and maintenance of any structure as well as boundary fences on their allotment plots. Tenants are not permitted to plant boundary hedges.
- (d) When any structure is to be demolished the tenant shall ensure that all waste materials are removed from the allotment plot and allotment site and disposed of lawfully.
- (e) No more than 10% of an allotment plot shall be used for non-growing structures including sheds, seating, glasshouses, storage without prior permission from the Council.
- (f) The plotholder shall indemnify the Council against all claims and liabilities which may be made against the Council arising directly or indirectly from any breach or

non-performance by the plotholder of his obligations under the Allotment Agreement or from any act, omission or negligence of the plotholder or any person acting expressly or implied with the authority of the plotholder in relation to the Plot or so arising from the presence of any of the plotholder's property and from the expenses of proceedings arising therefrom.

- (g) Midlothian Council and its employees cannot accept responsibility for any claims, loss or damage which may arise from using this facility, except so far as provided by statute.
- (h) Plotholders are responsible for the removal of any structures as requested by the Council following the end of a lease. Failure to do so, may result in charges being levied to cover the cost of any costs incurred by the Council.

5 Livestock

- (a) Dogs are allowed on allotment sites. The tenant shall be responsible for keeping or, if not the owner, ensuring that the dogs are kept under control at all times and that they are kept on a lead.
- (b) Tenants who bring their dogs on to or permit a visitor to bring dogs on to an allotment site are responsible for the safe disposal of any dog waste and for any damage that be caused by said dogs.
- (c) Tenants shall not kennel animals/poultry overnight nor permit the same on any part of an allotment site.
- (d) No livestock, including bees, shall be permitted on an allotment site without the written consent of the Council whose decision shall be final.



APPENDIX 5

6 Security and maintenance

- (a) All Tenants share responsibility for the security of an allotment site at all times and shall enter and leave the allotment site only through the authorised boundary gates. Children must be supervised by an appropriate adult at all times.
- (b) Each of the boundary gates of an allotment shall be padlocked and tenants shall lock these at all times on entering and leaving.
- (e) A tenant is responsible for the security of any greenhouse, shed, property etc, on his/her allotment plot.
- (f) Each tenant shall not enter an un-let allotment plot or one let to another person or remove any item or materials from said allotment plots.
- (g) Issues relating to general site maintenance on Council managed allotments must be reported to Landscape and Countryside Services landscape&countrysideenquiries@midlothian.gov.uk or via the Association where appropriate.

Monitoring, Plot Improvement and Termination

- (a) The council's allotment officer and/or administration and/or where appropriate, members of the Association shall be entitled to carry out general inspections (at their discretion) of all allotment plots. The purpose of these inspections will be to assess whether sufficient progress is being made to reach and maintain the agreed cultivation and maintenance standards, as well as noting any non-conformance of rules and regulations.
- (b) Tenants who fail to meet the required standards during the first three months of the lease commencing

shall be given a warning letter and if the plot is not rectified to the satisfaction of the council within four weeks will result in the allotment tenancy being terminated in accordance with these rules.

- (b) Tenants with leases of plots that commenced more than three months previously and who fail to meet the required standards will receive a first warning letter advising that issues must be rectified within one. Failure to rectify the matter within the one month period to the satisfaction of the Council will result in the allotment tenancy being terminated in accordance with these rules.
- (c) The tenant will be notified in writing to vacate their allotment plot within four weeks.
- (d) Tenants wishing to appeal against a termination should be submitted to the allotments administration within 7 days of the date on the termination letter giving reasons for the failure. Also required will be support for the contents of the appeal by at least 3 other allotment holders. A decision on the appeal will be made by the council within 21 days of submitting the appeal
- (e) The tenant shall remove any buildings, structures and produce belonging to the tenant within four weeks.
- (f) he tenant is responsible for any remediation work or waste disposal and the costs thereof required to be undertaken by the Council and/or Association.
- (g) Any tenant who has been issued with two prior warnings within a 12 month rolling period and/ or in two out of the last three years will automatically have their allotment tenancy terminated on the third occasion.
- (h) Issues relating to a Tenant's gross misconduct such as theft or inappropriate behaviour will be referred to the Business Support Officer. In such circumstances the Council reserves the right to terminate the allotment tenancy.

- (i) In the event of any dispute regarding the interpretation of these rules, the matter shall be referred to the Land Resources Manager with the Land and Countryside Service. The Council shall have regard to the 2015 Act and any Regulations in arriving at its decision.

Notes to allotment plot holders

These rules are made to help ensure that every tenant gets the best results and enjoyment from his/her allotment plot. It is in the tenant's interests to ensure that these are adhered to.

For information and assistance, tenants are encouraged to join the onsite allotment association where one is provided and seek advice/guidance from other professional gardening bodies where appropriate. Additionally, the Council's Business Support Officer within Community & Enterprise Resources and/or the relevant management committee will be pleased to help with any queries you may have.

Holidays and illness

In the event of longer term holidays or illness, please notify the Business Support Officer or management committee in advance as there may be someone willing to tend your allotment plot in your absence. If you are unable to cultivate your allotment in accordance with the rules because of illness or personal difficulties, the Council will, where possible take personal situations into account. However, we are obliged to ensure that plots are being managed appropriately for the sake of neighbouring ploholders or those on the waiting list and any action can only be deferred for up to one calendar month to ensure that allotment plots do not fall into a poor state or have a detrimental impact on neighbouring plots. It is a tenant's responsibility to seek assistance to keep an allotment plot in an acceptable condition otherwise there is a risk of having the tenancy agreement terminated.



APPENDIX 6

LIST OF POTENTIAL COMMUNITY GROWING SITES ON COUNCIL-OWNED GROUND

		Existing	Available
Auchendinny	Auchenindinny Park	Yes	
Bilston	Park Avenue (adjacent to Car Park by {Primary School)	Yes	
Bonnyrigg/Lasswade	Dundas Road (rear of Cockpen Church Hall)	Yes	
Bonnyrigg/Lasswade	Waverly Park (adjacent to Cycle Path)		Yes
Bonnyrigg/Lasswade	Viewbank Park		Yes
Bonnyrigg/Lasswade	Poltonhall Recreational Ground		Yes
Cousland	Public Park		Yes
Dalkeith	Open space between James Lean Avenue/Woodburn Road		Yes
Dalkeith	Fairfield House Conservatory		Yes
Dalkeith	Waterfall Park (rear of Bruce Gardens0		Yes
Dalkeith	Riverside Park		
Dalkeith	Land between James Lean Avenue/Woodburn Road		Yes
Dalkeith	Waterfall Park (rear of Bruce Garden)		
Gorebridge	Engine Road (adjacent to Gore Complex)		Yes
Gorebridge	Auld Gala Park (adjacent to Orchard		Yes
Loanhead	Ramsey Bing		Yes
Loanhead	Burghlee Park		Yes
Mayfield/Easthouses	Former Bowling Green	Yes	
Mayfield/Easthouses	Mayfield Public Park		Yes
Mayfield/Easthouses	Open Space in Oak Place		Yes
Mayfield/Easthouses	Lothian Drive (Council-owned section)		Yes
Mayfield/Easthouses	Easthouses Park (by Bowling Green)		Yes
Newtongrange	Public Park		Yes
Pathhead	Open Space, Oxenford Drive (existing community orchard)	Yes	
Penicuik	Cornbank Open Space		Yes
Penicuik	Cuiken Glen (by Dykes Road)		Yes
Penicuik	Alderbank (by Bridge Street)		Yes
Rosewell	Rosewell Park		Yes
Roslin	Open Space Between St Clair Cres and Minstrel Court		Yes
Roslin	Roslin Cemetery (for orchard only)		Yes
Shawfair/Danderhall	Provided by developer		Yes
Libraries	Land adjacent to libraries may be available for growing – contact Land and Countryside Service	N/A	N/A
Schools	This will require permission and agreement from Head Teacher – many schools will not be suitable due to security.	N/A	N/A



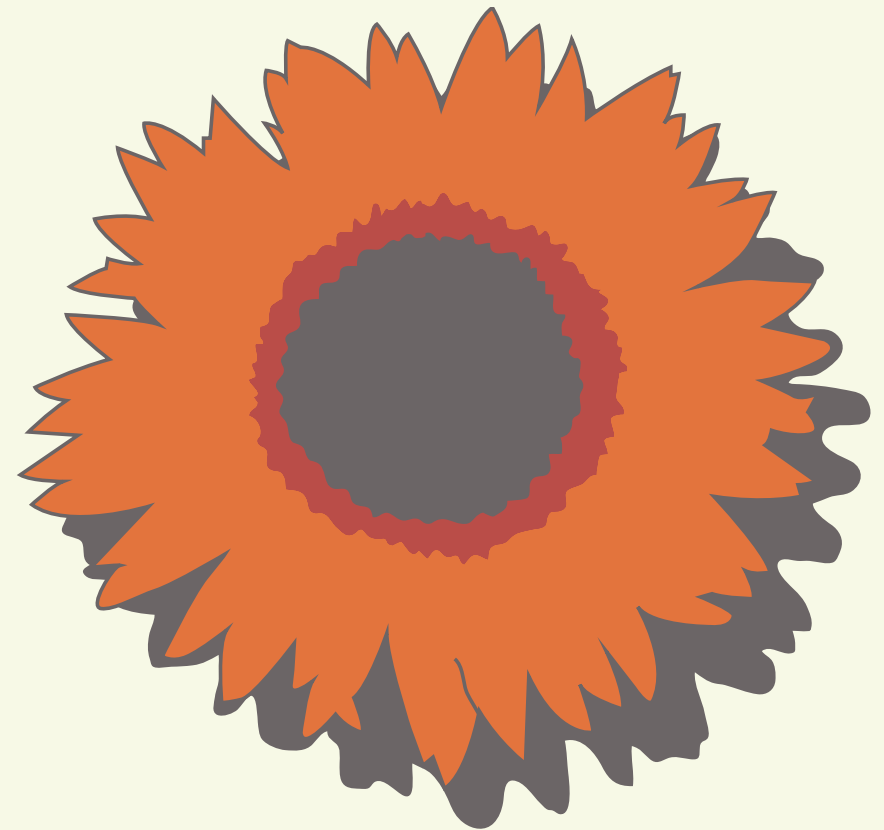
APPENDIX 7

Types of growing

- Allotments;
- Community growing spaces;
- Edible hedgerows;
- Green walls and roofs;
- Hydroponics/aquaponics;
- Orchards;
- Other forms of growing such as market gardens, peri-urban and urban farms run as social enterprises.

Growing sites

- Appropriate spaces for green roofs / green walls;
- Community establishments with open areas;
- Growing spaces in schools, hospitals, prisons, universities, colleges and other public areas;
- Indoor growing;
- Land which is due to undergo future development and may be suitable for “meanwhile use”;
- Landshare or gardenshare schemes;
- Non public sector land suitable for leasing (or purchase) from a private landowner;
- Places for beehives;
- Planters or containers in hard-landscaped areas;
- Suitable ‘street corner’ space;
- Unused or underused areas of land;





APPENDIX 8

Footnotes References

- 1 <https://link.springer.com/article/10.1007/s10460-016-9717-0>
- 2 https://ww2.rspb.org.uk/images/natural_fit_full_version_tcm9-133055.pdf
- 3 <https://link.springer.com/article/10.1007/s10460-016-9717-0>
- 4 <https://www.buglife.org.uk/sites/default/files/Buglife%20B-LINES%20-%20CREATE%20A%20BUZZ%20VEG%2024Jun2016%20ENG%20d2.pdf>
5. https://www.farmgarden.org.uk/system/files/gorgie_city_farm_sroi_assured.pdf
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