

Finance and Resources Committee

10:00am, Thursday, 7 March 2019

Proposed New Lease of Land for a Community Garden at Broomhouse, Edinburgh

Item number	8.7
Executive/routine	Routine
Wards	7 – Sighthill / Gorgie
Council Commitments	44

1. Recommendations

- 1.1 That Committee approves the grant of a new 15-year lease to The Broomhouse Centre & Enterprises on the terms and conditions outlined in this report and on such other terms and conditions to be agreed by the Executive Director of Resources.

Stephen S. Moir

Executive Director of Resources

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2. Executive Summary

- 2.1 The Broomhouse Centre & Enterprises has interest in developing an area of vacant greenspace in Broomhouse for the use as a community garden. This report seeks approval to grant a 15-year lease to The Broomhouse Centre & Enterprises on the terms and conditions outlined in this report.

3. Background

- 3.1 The Edible Estates initiative was developed to promote urban regeneration and advance community development within social housing estates. This has been principally achieved through establishing community food growing projects on the shared, underutilised greenspace areas in these estates.
- 3.2 The Edible Estates initiative was set up by Re:Solution, a project design, management and development practice for urban greenspace. Re:Solution, with the partnership of community anchor organisations, collaborate with local established community groups to deliver community gardens and food growing models in their neighbourhoods.
- 3.3 The Broomhouse Centre & Enterprises (BCE) is a community development trust supporting community led development in the Broomhouse, Parkhead and Sighthill areas of Edinburgh. Following the Edible Estates framework, the BCE has brought forward a design proposal for developing a greenspace site in Broomhouse for use as a community garden.
- 3.4 The BCE has requested a long lease on the site to satisfy external funding opportunities from, but not limited to, The Climate Challenge Fund. The site is held on the Housing Revenue Account (HRA). It is currently vacant and consists of an enclosed area of grass land extending to 330 sqm, or thereby. It is situated to the rear of Broomhouse Market and residential properties along Broomhouse Place North and Broomhouse Grove, Edinburgh, as outlined on the location plan at Appendix 1.

4. Main report

- 4.1 Planning permission for the change of use to a community garden with raised beds, shed and polytunnel was granted on 17 August 2018 (ref: 18/03204/FUL).
- 4.2 As a standalone site, the suitability of the identified HRA greenspace as a prospective location for Council housing development is minimal given the small site area. The site is currently underutilised and is not maintained to a high standard. Leasing the area will relieve the Council of the cost of maintaining the land for the period of the lease.
- 4.3 The level of rent contained in the terms and conditions below is based on similar lettings of land for community garden use.
- 4.4 Heads of Terms have been provisionally agreed for a new 15-year lease on the following main terms and conditions:

Tenant:	The Broomhouse Centre & Enterprises;
Term of lease:	15 years;
Rent:	£250 per annum;
Rent Free:	There will be an initial two year rent free period to cover set up costs;
Rent Reviews:	At the end of the fifth and tenth years, from date of entry, to market value for community garden use;
Break Options:	Both Landlord and Tenant shall be entitled, by giving not less than six months' notice, to terminate the lease at the end of the fifth and tenth years, from date of entry;
Use:	The Tenant shall use the subject property as a community garden and for no other purpose;
Repair/Maintenance:	Tenants full repairing and insuring obligation.

5. Next Steps

- 5.1 If Committee approval is granted, the Council will seek to enter into a new lease with The Broomhouse Centre & Enterprises in accordance with the terms and conditions stated within this report.

6. Financial impact

- 6.1 The Council's (minimal) maintenance burden will be reduced as The Broomhouse Centre & Enterprises will be responsible for all maintenance costs, rates and other outgoings associated with the subject property.

- 6.2 All insurance liabilities will be met by The Broomhouse Centre & Enterprises, along with the Council's surveying and legal costs incurred during the preparation of the lease.

7. Stakeholder/Community Impact

- 7.1 Resident consultation was carried out by way of door to door surveys in the targeted neighbourhood. The community garden proposal received positive feedback, with many residents showing interest in participating in the project.
- 7.2 The Broomhouse Centre & Enterprises and local residents will receive support from Edible Estates founder organisations during the initial set up of the community garden, until the project becomes established.
- 7.3 Council housing officers from the south west neighbourhood office have been consulted throughout the process and are in support of the project.
- 7.4 Ward elected members have been made aware of the recommendations of this report.
- 7.5 The impact on equalities has been considered. The Integrated Impact Assessment (IIA) checklist has been completed and the outcome is that a full IIA is not required for this report. There will be a positive benefit on equality and rights through this project which aims to improve the community integration and services in this area. There is no negative impact on the environment given the services provided by the proposed community garden serve a local neighbourhood.

8. Background reading/external references

- 8.1 None

9. Appendices

- 9.1 Appendix 1 – Location Plan

