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## **ADOPTION OF ALLOTMENT REGULATIONS FOLLOWING CONSULTATION**

### **Report by Service Director Assets & Infrastructure**

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## **EXECUTIVE COMMITTEE**

**16 MARCH 2021**

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### **1 PURPOSE AND SUMMARY**

- 1.1 Following the legislative requirements set out in Part 9 of the Community Empowerment (Scotland) Act 2015, Local Authorities in Scotland are required to introduce Allotment Regulations. The statutory consultation on draft Regulations (for Allotment Sites managed by Scottish Borders Council) was approved at Executive on 15 September 2020.
- 1.2 This report summarises the process, provides an update on the feedback received and makes recommendations as to the next steps including formal adoption of the new regulations and a consideration for introducing concessions to the fee structure for allotment rental.

### **2 RECOMMENDATIONS**

- 2.1 **I recommend that the Executive:-**
  - a) **notes the feedback received to the consultation as outlined in this report;**
  - b) **makes the Allotment Regulations contained in Appendix 1 to regulate allotments managed by Scottish Borders Council;**
  - c) **agrees that the proposed amendment to the fee structure for Allotment rental in 2021/22 to include concessions is considered as part of the Budget setting process.**

### **3 BACKGROUND**

- 3.1 Part 9 of the Community Empowerment (Scotland) Act 2015 introduces new duties on Local Authorities to increase transparency on the actions taken to provide and manage allotments. Under Section 115 of the legislation Local Authorities are required to develop Allotment Regulations. The Regulations outline the rules relating to letting of plots, managing the plot, permitted activities, security and maintenance and fees and charging. Local Authorities are also required to set 'fair rents' for allotments. Allotments are defined in Part 9 as land that is owned or leased by a Local Authority and used wholly or mainly for the cultivation of vegetables, fruit, herbs or flowers and not for profit.
- 3.2 Scottish Borders Council has 82 allotment plots across six sites (3 in Peebles, 1 in Innerleithen and 2 in Hawick). Plot sizes vary; there isn't a standard size across the region or across a site. Currently the rental charge for a plot is a fixed rate of £43.50 per annum. This standardised rate, regardless of plot size, has historically received some objection due to the disparity.
- 3.3 The profile of food growing in our communities has been raised significantly by the Community Empowerment (Scotland) Act 2015 and the resultant draft Scottish Borders Food Growing Strategy, which has recently completed a 12 week public consultation, receiving 300 responses. The intention is to bring a future report presenting a finalised Food Growing Strategy to Executive in Spring 2021, which will address Community food growing in the round, including opportunities;
- a To work together to create community food growing initiatives as a real alternative to Allotments.
  - b Identifying land and supporting communities to utilise repurposed Council land for community food growing, as well as exploring opportunities in land managed by Community Planning Partners.
  - c Maximise the Councils Allotment estate to ensure equality of opportunity and efficient use of the asset.
  - d Recognising opportunities for food growing within major investment projects in the community (such as Gala Campus and Peebles High School).

### **4 CONSULTATION**

- 4.1 The standard consultation requirement for proposed Statutory Regulations is four weeks. However, to enable wider engagement, a public consultation was undertaken for a full eight weeks to tie in with the related consultation on the Draft Food Growing Strategy which was run in parallel. The draft Regulations - titled Rules and Regulations for Allotment Plots on Council Managed Land 2020 (Appendix 1) - were shared, both digitally via a weblink and as hard copy on display at all allotment sites. Letters were issued to allotment holders and waiting list members. The consultation period ran for eight weeks from 13 October to 8 December. A statutory notice was posted

in the press for four weeks from 10 November to 8 December in accordance with due process.

- 4.2 The consultation received 29 responses via the online form and email. Excluding duplicates, 4 responses were received via email. 25 responses were received via the Citizenspace online form.
- 4.3 The vast majority of feedback received was in relation to the new fees, objecting to the increase and the lack of concessions made available to allotment holders. No objections were received in relation to the other content and wording of the draft Regulations or Conditions of Let.
- 4.4 It is noted that the Regulations themselves have attracted no objections. On this basis it is recommended that these be adopted by Scottish Borders Council immediately.

## **5 ALLOTMENT FEES**

- 5.1 For context, the following extract from the Government guidance sets out the requirements for Local Authorities to consider in setting Allotment fees;

*"Section 115(3)(b) provides that local authorities must make regulations relating to rent, including a method of determining a fair rent... When determining fair rent levels, authorities should take account of the size and location of the individual allotment for which rent is payable... expenses incurred by the authority in maintaining and managing the allotment site, and any other relevant factors. Local authorities should make provision for concessions on the level of rent payable. "*

- 5.2 The rationale for the fee structure approved for 2020/21 was based on these legislative requirements and sought to address the concerns raised by plotholders that the current flat rate, irrespective of plot size, was inequitable. The new fee structure was developed, comprising an administration fee of £43.50 plus a charge of £0.25 per square metre per annum. The administration fee ensured that the Council could recover management costs and deliver on the increased burden of responsibilities as set out under the new legislation. The charge per square metre ensured that each plotholder paid a rate relative to the amount of land they were leased. Benchmarking with other Local Authorities provided a precedent for this structure.
- 5.3 Due to Covid-19 it was, however, agreed to freeze the rent charge for 2020-21 at the current level of £43.50 per plot per annum for two reasons. Firstly, due to the timing of Covid-19 the Council had not had sufficient time to give advanced notice of changes to rent to allotment tenants. Secondly, many plots had been restricted in their productivity due to the limitations of individuals, either due to shielding or to local travel restrictions imposed by lockdown. Therefore the new rent charge is intended to be implemented with effect from April 2021.

5.4 As summarised above in 4.3, the proposed fees were the subject of the vast majority of feedback received during the consultation, with many objections to the increase in fees that this would represent for individuals. The main themes of these concerns were about the size of the increase in rent, and that there was no discretionary concessions available to those who may be on reduced/no income (see Appendix 2 for a full redacted transcript of feedback).

## 6 CONCESSIONS

6.1 While the legislation advises that Local Authorities should make provisions for concessions, the Council had not, in the proposed fee structure, specified any such concessions. In light of this omission and the feedback received, it is appropriate to set out a proposed concessionary rate and eligibility criteria. This would seek to address feedback, specifically where concerns have been raised around issues of affordability by plotholders.

6.2 In response to the above and following benchmarking across other Local Authorities, it is recommended that Scottish Borders Council adopts a proposed concessionary rate for allotment tenants.

6.3 It is suggested that concessions are included in the new fee structure as part of the 21/22 budget setting process. These can be offered to new or existing tenants based on eligibility criteria. Following recent affordability criteria used by the Scottish Government, the proposed concessions could be offered based on the same eligibility criteria, namely those in receipt of;

- Universal Credit
- Working Tax Credit
- Income-based Employment and Support Allowance
- Income-based Jobseeker's Allowance
- Income Support
- Housing Benefit
- Pension Credit

6.4 Following benchmarking with Local Authorities across Scotland, the standard concession offered, where one is available, is 50% discount on annual rent. Based on this, it is suggested that at 50% concession (of the whole amount due) is offered to those eligible in the Scottish Borders. Other discount scenarios have been explored and are included for context in Appendix 3. In summary the new fee will be applied as follows;

<b>Administration fee</b>	<b>Price per m2</b>	<b>Total Allotment Fee</b>	<b>Concession if applicable</b>
A = £43.50	B = 0.25p per m2 (depending on plot size)	= A+B	50% discount of whole fee (A+B)

## **7 IMPLICATIONS**

### **7.1 Financial**

Various scenarios and their financial implications have been considered (Appendix 3). It is not possible to ascertain the level of uptake by current and/or prospective ploholders. For illustrative purposes, if 50% of allotments claimed a 50% concession there would be a £1,845 budget pressure against the £7,381 budget.

### **7.2 Risk and Mitigations**

By adopting the recommendations contained in this report, the Council are fulfilling legislative duties which in themselves do not present any risk. The setting of fair rents for allotment rental, as approved in last year's budget setting process has generated some negative feedback from ploholder concerned with the risk of affordability. The proposal to introduce a concessionary rate mitigates against this risk.

### **7.3 Integrated Impact Assessment**

- (a) The Council has a statutory obligation to eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity between people who share a characteristic (age, disability, gender re-assignment, trans/transgender identity, marriage or civil partnership, pregnancy and maternity, race groups, religion or belief, sex-gender identity, and sexual orientation) and those who do not; and foster good relations between people who share a characteristic and those who do not. This involves tackling prejudice and building understanding. Additionally, where proposals are "strategic", the Fairer Scotland Duty requires us to show that we have actively considered how we can reduce socio-economic inequalities in the decisions that we make and to publish a short written assessment on how we have done this.
- (b) An Integrated Impact Assessment has been carried out. The Council has met its duties under part 9 of the Act, and in doing so has addressed the points it is required to do so particularly in regards to the setting of fair rents. It offers concessions to those who can demonstrate they are unable to pay the costs for the rents and furthermore is undertaking other related initiatives to try and promote the benefits of being an allotment holder and growing your own food. There are also a number of other initiatives around food production, preparation and healthy eating which are in existence locally and nationally which people can access for further support.

### **7.4 Acting Sustainably**

The issues outlined in this report do not have a detrimental impact on environmental sustainability – if adopted, the regulations will set a minimum maintenance standard for allotments which will serve to protect the environment within Council allotments. Because the Council charges a fee for an allotment then this may prevent those with little or no income from seeking to become a tenant. However, in response to this, this report proposes the implementation of a concessionary rate, to reduce the burden

on those with low income, thus mitigating any economic impacts on individuals.

**7.5 Carbon Management**

No effects on carbon emissions.

**7.6 Rural Proofing**

It is anticipated there will be no adverse impact on the rural area from the proposals contained in this report.

**7.7 Changes to Scheme of Administration or Scheme of Delegation**

There are no changes to the Scheme of Administration or the Scheme of Delegation as a result of the proposals in this report.

**8 CONSULTATION**

8.1 The Executive Director (Finance & Regulatory), the Monitoring Officer/Chief Legal Officer, the Chief Officer Audit and Risk, the Service Director HR & Communications, the Clerk to the Council and Corporate Communications have been consulted and any comments received have been incorporated into the final report.

**Approved by**

**Name - John Curry**

**Signature .....**

**Title – Service Director Assets & Infrastructure**

**Author(s)**

Name	Designation and Contact Number
Craig Blackie	Parks & Environment Manager – 01835 824000

**Background Papers:** [insert list of background papers used in compiling report]

**Previous Minute Reference:** Executive Committee - Tuesday, 15th September, 2020 at 10.00 am, Agenda item 10.

**Note** – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Carol Cooke can also give information on other language translations as well as providing additional copies.

Contact us at Craig Blackie – [cblackie@scotborders.gov.uk](mailto:cblackie@scotborders.gov.uk)

**THE SCOTTISH BORDERS COUNCIL**

**Allotment Rules and Regulations 2020**

## Rules and Regulations for Allotment Plots on Council Managed Land 2020

The Scottish Borders 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. These rules will be subject to review once final guidance relating to Part 9 of the 2015 Act has been provided.

### 1 Allotment Plot Letting

- (a) For allotment plots on Council owned land, an allotment plot application form must be completed and submitted in writing either by email to [placebookings@scotborders.gov.uk](mailto:placebookings@scotborders.gov.uk) or send to Business Support Team (Allotments), Council Headquarters, Newtown St Boswells TD6 0SA or such other address as is publicised by the Council.
- (b) The Council maintains a 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 2015 Act will or has been exceeded.
- (c) Allotment tenancies will only be granted to residents, 18 years or over who reside within the Scottish Borders Council area. Individuals who live outside or move outwith the Scottish Borders area shall not be entitled to retain an allotment tenancy and the Council or the relevant association shall be entitled to require that any such tenancy be brought to an end in accordance with the termination provisions herein.
- (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 Scottish Borders Council Allotments – Conditions of Let annexed hereto annually in advance agreeing to lease an allotment plot for that year 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 Team (Allotments) 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 their allotment plot they 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 requested will be removed from the waiting list. Should the tenant wish a larger plot at a later date, a new application must be submitted to join the waiting list.
  - (i) Where a person (or joint applicant) 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 sub-let or share occupation of any part of their allotment plot with any

other person without the prior written consent of the Council/Association.

- (k) The Council will consider the transfer of an allotment tenancy to a joint applicant 18 years or over, should the existing tenant be permanently unfit or deceased. If approved, the Council will require written proof to be submitted and a new tenancy agreement shall be signed.
- (l) If an allotment tenancy is terminated, there will be no refund due to the tenant by the Council.
- (m) The first named person on joint applications shall be considered the lead applicant. Should the lead applicant withdraw, the second named applicant will remain on the waiting list unless advised in writing that both wish to withdraw. Further applicants cannot be added and second named applicants will remain on the list as a single applicant.

## **2 Charges**

- (a) An annual management fee will be payable for allotment plots on Council managed/owned sites.
- (b) For Council managed allotment sites the annual management fee for the allotments will be due on 1 April each year. The annual management fee shall be set by the Council at its sole discretion.
- (c) The Council shall consider any management fee 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
- (d) Changes to circumstances that affect your ability to pay, must be advised in writing to the Business Support Team (Allotments). The Council will review specific circumstances and offer support and guidance.
- (e) Annual management fees 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 will be based on a rate per square metre and what services are provided, which may vary from site to site.
- (f) When an allotment plot is allocated in a secure site, a key will be issued to the tenant.
- (g) A tenant shall notify the Business Support Team (Allotments) of any lost / stolen keys.

## **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 regularly 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 50% 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. 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 their 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.
- (e) The prior written consent of the Council or Association shall be obtained by a tenant regarding the location and size of any buildings to be erected within their 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. 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 their 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.
- (l) Tenants are responsible for the removal of all waste lawfully from their allotment plot. Small scale burning using a closed vessel such as a chiminea is permitted however must be controlled and must not compromise adjacent allotment plots and/or neighbouring properties.
- (m) 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.
- (n) Where no mains water is provided, plot holders must harvest water within their allotment plot.

#### **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 affect on neighbouring allotment plots) and any other information considered necessary.
- (c) No consent given by the Council shall operate as planning permission, building warrant, or any other approval which the tenant may require from the Council in any of their capacities. The tenant shall be responsible for obtaining all necessary planning consents and/or building warrants in respect of the erection of a greenhouse, shed or other building/structure, if applicable.
- (d) 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.
- (e) 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.
- (f) No more than 25% of an allotment plot shall be used for non growing structures such as sheds, seating, storage.
- (g) The tenant 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 tenant of their obligations under the Allotment Agreement or from any act, omission or negligence of the tenant or any person acting expressly or implied with the authority of the tenant in relation to the Plot or so arising from the presence of any of the tenant's property and from the expenses of proceedings arising therefrom.
- (h) The tenant shall insure any greenhouse, shed or other building/structure erected upon their allotment plot against the risk of loss or damage by fire and shall provide a copy of the current Certificate of Insurance to the Council, if asked to do so. The tenant shall be responsible for insuring the contents of the greenhouse, shed or other building/structure, if desired.
- (i) The Scottish Borders 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.
- (j) Tenants 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 any costs incurred by the Council.

## **5 Animals/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 may 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 animals/livestock shall be permitted on an allotment site without the prior written consent of the Council whose decision shall be final.

## **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. Where applicable, each tenant shall ensure that keys are retained securely.
- (c) The key to the allotment site remains the property of the Council and/or Association and is issued to a tenant strictly for the purposes of access to and egress from an allotment site and is not transferable to any other person.
- (d) A tenant is responsible for the security of any greenhouse, shed, property etc., on their allotment plot.
- (e) 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.
- (f) Issues relating to general site maintenance on Council managed allotments must be reported to the Business Support Team (Allotments) or via the Association where appropriate.

## **7 Monitoring**

- (a) The Business Support Team (Allotments) 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 will receive a first warning letter advising that issues must be rectified within 14 days. If the issue is not rectified within the specified deadline, or no response is received the Council or Association shall issue a formal notice advising that the tenancy will be terminated within 40 days from the letter date. If there is still no response a final notice will be issued confirming that the tenancy has been terminated.
- (c) The tenant will be notified in writing to vacate their allotment plot and where applicable return their key(s) to the Business Support Team (Allotments).
- (d) The tenant is responsible for any remediation work or waste disposal and the costs thereof required to be undertaken by the Council and/or Association.
- (e) Any tenant who has been issued with a previous warning in a 12 month rolling period, will immediately be issued with a final warning on the second occasion.
- (f) Any tenant who has been issued with two prior warnings within a 12 month rolling period will automatically have their allotment tenancy terminated on the third occasion.

- (g) Issues relating to a tenant's gross misconduct such as theft or inappropriate behaviour will be referred to the Business Support Team (Allotments). In such circumstances the Council reserves the right to terminate the allotment tenancy immediately.
- (h) In the event of any dispute regarding the interpretation of these rules, the matter shall be referred to the Business Support Team (Allotments). The Council shall have regard to the 2015 Act and any Regulations in arriving at its decision.

## **8 Miscellaneous**

- (a) The foregoing allotment rules and regulations supersede any other rules and regulations previously made in respect of allotment plots on Council owned land within the Scottish Borders area.
- (b) The Scottish Borders Council reserves the right to amend the Rules and Regulations in accordance with the requirements of the Community Empowerment (Scotland) Act 2015.

### **Notes to Allotment Plot Holders**

These rules are made to help ensure that every tenant gets the best results and enjoyment from their 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 Team (Allotments) 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 Team (Allotments) 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 tenants 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.

### **Contact Details**

All correspondence should be addressed to PLACE, Business Support, Council Headquarters, Newtown St. Boswells, MELROSE, TD6 0SA. Telephone 0300 100 1800 or email [placebookings@scotborders.gov.uk](mailto:placebookings@scotborders.gov.uk).

If you need this information in another language or format, please contact us to discuss how we can best meet your needs. Telephone 0300 100 1800 or email [placebookings@scotborders.gov.uk](mailto:placebookings@scotborders.gov.uk)

- 1.0 The allotment shall be let yearly.
- 2.0 Any person wishing to cease their tenancy of an allotment is required to notify it in writing to the address below.
- 3.0 Sub-letting or shared occupation of any part of the allotment is prohibited without the prior written consent of Scottish Borders Council.
- 4.0 The rent charge of £43.50, along with a charge of £0.25 per square metre, shall be paid yearly upon receipt of our invoice. Yearly rent covers April 2020 to March 2021
- 5.0 The allotment must not be allowed to get into an untidy or overgrown state and shall be left in a neat and tidy condition at the end of the lease.
- 6.0 Any person wishing to erect a storage shed, greenhouse etc. must make an application to Scottish Borders Council giving size etc., and the construction must be placed where directed.
- 7.0 Scottish Borders Council shall not be responsible for any damage to the allotment from whatever cause, save where such damage is as a result of the actions of their employees or authorised representatives.
- 8.0 Dumping of **ANY** waste material e.g. stones and weeds on the banks of, or in the River Tweed/Teviot is strictly prohibited.
- 9.0 Where an allotment is bounded by a hedge, which is the responsibility of the allotment holder, then the hedge must be regularly pruned and not allowed to overhang.
- 10.0 No fence shall be fixed around any allotment without written authority from Scottish Borders Council.
- 11.0 If any allotment holder acts contrary to or neglects to observe any of the foregoing conditions and/or the Rules and Regulations, he/she shall be liable to expulsion from the allotment and shall in addition be bound to pay rent up to the end of the term.
- 12.0 These Conditions of Let should be read in conjunction with the Rules and Regulations for Allotment Plots on Council Managed Land 2020.
- 13.0 All correspondence should be addressed to PLACE, Business Support, Council Headquarters, Newtown St. Boswells, MELROSE, TD6 0SA. Telephone 0300 100 1800 or email [placebookings@scotborders.gov.uk](mailto:placebookings@scotborders.gov.uk)

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**Please sign and return one copy of the Condition of Let forms to the above address.**

I hereby accept the tenancy of an allotment at \_\_\_\_\_ at an annual cost of £\_\_\_\_\_

**WEF DATE SIGNED BELOW**

I have carefully read the Conditions of Let and the Rules and Regulations for Allotment Plots on Council Managed Land 2020 which I agree to observe.

Name:.....

Address:.....

Town:..... Postcode:.....

Home No:..... Mobile No:.....

Email:.....

Signature:.....Date:.....

## APPENDIX 2 – SUMMARY OF RESPONSES RECEIVED (REDACTED)

FEEDBACK RECEIVED TO ONLINE CONSULTATION	
Please provide any comments you have on the proposed allotment rules and regulations and conditions of let - Your comments	Organisation - if applicable
I don't believe the new proposed extra charges for allotments of 0.25 per square metre fits with the good food strategy thinking. I would've thought we should be lowering or removing allotment fees and finding lots more land to grow on in light of environmental and social issues. I am involved with community food growing in the borders as a volunteer group organiser and am always happy to assist with finding and supporting more people to grow their own food. I believe there is land available and lots of people ready to grow on it. With climate change, brexit and covid we should be urgently finding ways to grow lots more local food.	
I am disgusted at your proposed price increase. For allotment rents at the Gytes in Peebles. I do not believe the Community Empowerment Act was set up to encourage local councils to use allotments as a money making scheme. I would like to ask what extra services you are going to provide for this massive hike in price and also ask if other council rents are also going up by this percentage. I am thoroughly disappointed in Scottish Borders Councils attitude to the ethos of allotments and you should be ashamed.	The Gytes Peebles
<p>The price hike is unjustified both in terms of what the council actually currently does for the fee and morally as you are creating and increasing inequality due to the unaffordableness of this to pensioners, the unemployed and those on low incomes.</p> <p>It is a fairly costly endeavour to take on an allotment plot. I'll give you my example: I was offered a plot by the embankment 2 years ago - it had no gates and a low fence was put up between the adjacent plot again with no gate. The fence had large holes which rabbits can get through and was not high enough. Buying chicken wire to rabbit proof and tools along with seeds and plants is quite pricey but we do a good thing eating local food , reducing our carbon footprint and avoid buying items in plastic.</p> <p>You should be encouraging more people to have allotments by keeping the price low and affordable to all and not discriminating against those who can't afford to pay.</p>	The Gytes
<p>I want to see what you will be providing for this rent rise. You do nothing, except cutting the hedge.</p> <p>The access is appalling.</p> <ol style="list-style-type: none"> <li>1, cutting the embankment of the rose Bay willow herb.</li> <li>2, Find out what is wrong with the water pressure and fix it.</li> <li>3, We do not rent the paths so that should be your responsibility.</li> <li>4, Proper control of the rabbits.</li> <li>5 , Provide a concession payment for unemployed and retired people.</li> <li>6, There should be some local who is in charge.</li> </ol>	Gytes
<p>Allotments should be basically free.</p> <p>A small service charge: okay. £10-20 per year.</p> <p>This is a far bigger issue than revenue raising for the council.</p>	
At a time where you should be encouraging people to grow their own fruit and veg, to help climate change and also people's mental health I think the price rise is ridiculous. Surely you can find other ways of this money.	
The plots should be free as it's common good land ,could you please tell me what they get	

<p>for working on this land</p> <p>I have no objection to paying a fair rent, either as a flat rate rental, or as a rate per square metre. However I consider it excessive to charge a flat rate PLUS a set amount per square metre.</p> <p>The current rate of £43.50 per allotment, you describe as a management fee but at present we see very little management being done. According to the proposed management rules tenants are responsible for maintenance of fences and paths and the control of weeds, both annual and pernicious. My plot backs onto the disused railway embankment which is infested with weeds of all kinds, including willow herb, brambles, nettles and self seeded trees. Can I therefor expect the Council to reciprocate by controlling the weeds which are outwith my control? The embankment is also infested with rabbits which regularly invade the plots and cause damage. Will the management fee be used to provide weed and vermin control?</p> <p>The gates to individual plots are, quite fairly, the responsibility of the plot holder, but from my reading of the proposed rules, it would appear that the Council are responsible for perimeter fences and gates. Hopefully the management fee will also be used to fit gates and locks.</p> <p>The proposed management rules contain much of which is common sense and which all responsible plot holders should be doing as a matter of course. However, plot holders should also expect the Council to provide a quid pro quo.</p>	
<p>My wife and I have rented an allotment for about 15 years at the Gytes, Peebles. The allotment has been a fantastic resource this year, especially given the Covid-19 situation. Whilst we have benefited from the use of the allotment, I am deeply concerned by the Scottish Borders Council (SBC) decision to increase rents once again. I would object to this increase on the following points:</p> <ol style="list-style-type: none"> <li>1. There is a strong demand for allotments, as a 3-year waiting list would testify. This appears to be a means to reduce demand for allotments by increasing rents, effectively pricing people off the ground.</li> <li>2. SBC should be increasing the number of plots, preferably by providing more land.</li> <li>3. If anything, rentals should be reduced, especially to those people struggling in the current economic situation. I doubt a family living on Universal Credit, regularly resorting to a Food Bank, would be able to take advantage of an allotment.</li> <li>4. Allotments will become only available to more affluent people, further extending inequality based on wealth.</li> <li>5. The local plan highlights the anticipated growth in homes being built in the Scottish Borders. This will increase the demand for allotments, especially as flats/homes with small or no gardens are among the types of construction being proposed.</li> <li>6. This consultation has been poorly advertised. Attaching a couple of notices (which we haven't seen) during the fallow time at the allotments is poor, especially if you genuinely want to consult on allotments.</li> <li>7. We only learnt about this proposal from other allotmenters. SBC should have written to all of us (after all you do send us an invoice) to report the proposal and discuss the rental agreements.</li> <li>8. We are left to conclude that there is no intention to engage constructively with allotment holders and that a decision has been arrived at arbitrarily without our input.</li> <li>9. Were the increased rentals due to additional services being provided, then we need to discuss what is going to be provided. There is nothing in the proposal to show any additional services will be provided, therefore the rise in rents seems particularly unjustified.</li> <li>10. Removing hedges, rabbit-proofing the allotment area, removing rubbish, adding new water points, would be additional services we would be willing to discuss.</li> <li>11. We are not against the idea of those with bigger plots paying a larger rent. This additional cost, which has been proposed, is in the form of a standing charge and area charge that is out of all proportion compared to previous rents. Perhaps the rentals should</li> </ol>	<p>Gytes Allotments</p>

<p>be on the basis of:</p> <ul style="list-style-type: none"> <li>o Square meterage only at £0.25/sq.metre (this figure should be discussed); or</li> <li>o Standing charge of £43.50 or square meterage charge at £0.25/sq.meter, whichever is the larger, but not both.</li> </ul>	
<p>I am writing to oppose the proposed increase in rent for the allotments at the Gytes Peebles.</p> <p>I have no objection to an annual rent increase or to paying more for a larger allotment but by my arithmetic, the charging of 25p per square metre would put my annual rent up to over £100, a hike of over 100%</p> <p>As most of the allotment holders are pensioners or on a low income, myself included, this is a lot to expect people to pay.</p> <p>At a time of Covid when many have lost their employment and income and many are experiencing mental health issues, as well as financial difficulties, surely we want to encourage gardening in a safe outdoor environment. Gardening has been found to have many health benefits, both mental and physical.</p> <p>I have had an allotment at the Gyte for about 20 years now and have found it to be very therapeutic and I think it would be a great pity if the allotments are made inaccessible to people who have need them, or who over the years put a lot of work into them.</p>	<p>The Gytes, Peebles</p>
<p>As an allotment holder at the Gytes allotments in Peebles, I am extremely upset to read about some of the proposed rules and regulations and conditions of let. My views are summarised below:</p> <ol style="list-style-type: none"> <li>1. I strongly object to the proposed introduction of a 25 pence per square metre charge which will be in addition to the annual management fee. I understand will be the first year that this has been instigated. I understand the stated reason is to make the fees more fair. Whilst I acknowledge that there are a variety of sizes of plots on the Gytes site, the majority of allotment holders were not given a choice of plot when they took on their allotment. Therefore it does not seem fair to now implement a fee based on size of plot. Furthermore, it certainly does not appear fair to implement this on top of another fixed management fee. For my plot, I estimate that I will pay an additional £40 which is almost double what I currently pay. I believe this to be anything but fair.</li> <li>2. A lack of consultation regarding the increases in fees. I would argue that for the most, if not all of the allotment holders, the biggest or most important issue would be the cost of renting their allotment, or a proposal to increase this significantly. I would have thought that an open, transparent, honest, person-centred administration would therefore wish to consult with their allotment holders about any proposed change to how fees are calculated, especially when this is going to incur vastly increased costs to what they would normally pay. Is that not what consultations are for? From what I understand, the fee changes were agreed by the council earlier this year with no consultation and the other changes that are in the consultation document are minimal changes to the previous ones. I thought councils were obliged to consult the public that they serve? But it seems they can choose when to do this when and when not to?</li> <li>3. There appears to be no provision in the proposed fee changes for those with low incomes, e.g. retired people, low income plot holders. Given that a significant proportion of allotment holders are on low incomes, surely this should have been considered as a fundamental part of any decision regarding fee changes?</li> <li>4. The proposed regulations etc do appear to focus heavily on the responsibilities of the plot holders, however they are very light on the responsibilities of the council and the what is provided by them. Have any members of the council visited the Gytes allotments recently? The perimeter fences and internal fences are in a shocking state of disrepair. This site is overrun with rabbits whom destroy a vast amount of the crops grown. The perimeter security gates have long since gone and never been replaced. The paths are basically a mud bath. The water supply is extremely limited with a number of plots having to share one tap with very low water pressure. Whilst I appreciate that council budgets are extremely restricted at present, I think it is a bit of a joke increasing the fees drastically</li> </ol>	<p>Gytes, Peebles</p>

<p>when the services provided and the maintenance of the site is in such neglect.</p> <p>5. As part of this consultation, my views are that the council should be encouraging as many people to be able to rent an allotment and grow their own food. I think there should be proper investment in the sites they do have and more land dedicated to new sites. The health and social benefits of gardening and tending to allotments are undeniable and surely the council should be encouraging this and making it easier as opposed to making it more difficult by introducing fee increases by stealth. To realise the health and social benefits, I think they should be considering reducing or even removing the fees.</p> <p>6. I would suggest one way the council could proceed is to consider and actively encourage local community ownership of the Gytes site. This would demonstrate true public partnership and encourage the allotment holders to become more involved, take some responsibility and improve the site.</p>	
<p>The price increase of £43.50 plus 25p/sqm is significant within a single year. Would SBC consider a staggered increase over five years? Enabling allotment holders to plan for the increase. 2020 has been a difficult year for many.</p> <p>How has the 25p/sqm charge been calculated? Could this be lower?</p> <p>Will SBC provide a plan showing the sqm of the individual allotment to the holder prior to invoice so it can be assessed against holder's own understanding of the space?</p> <p>Will the £43.50 management fee be increased yearly?</p> <p>Will SBC provide a breakdown of costs associated with the fee ? An article in the Peeblesshire News stated SBC heavily subsidised the allotments. Please provide clarification.</p> <p>The increased fee could lead to individuals/families on lower or fixed incomes being unable to afford the plot. This would be a great shame and not in the spirit of sustainable growing, support for positive mental health or the Green Recovery post Covid-19.</p>	None.
<p>When an allotment has been allowed to get overgrown it can take more than one year to get it clear again as many weeds will keep seeds potent for many seasons. The current state of an allotment can be the result of a previous tenant.</p>	
<p>I would like to object to the excessive rent rise for the allotments.</p> <p>I feel it is especially unfair for people who are on universal or pension credit to pay the full price when the allotment provides exercise, fresh produce and aids mental health — essential to those on lower incomes.</p> <p>I would propose 2 levels of increase. For those able to pay — accept the full amount but if on any credit— a hardship rent should be available.</p> <p>I would also like you to produce a list of the Gytes allotments(they are all numbered) with the size /square metre indicated so we all know the official size and what extra cost it will entail.</p>	The Gytes, Peebles
<p>the regulations have to be fair to everybody</p>	gytes peebles
<p>I believe that the current increase in price conflicts with the Community Empowerment Act 2-15 Allotments. It is also ill timed in view of the current pandemic, increased unemployment, stress and the problems of importing food that will be associated after Brexit.</p>	
<p>i am unhappy about the proposed rent increase</p> <p>besides the ground and a tap (very low pressure) shared among approx ten plots, what is the rent for?</p>	gytes peebles

<p>The proposed increases are prohibitive and will mean it is no longer viable economically to many allotment holders.</p> <p>During the pandemic restrictions the allotment has been the only safe environment for us helping to combat mental health besides producing nutritious safe produce for many holders, families and elderly neighbours.</p> <p>I am over 80 and depend on my allotment to stay fit and healthy while growing good produce.</p> <p>There are other holders in the same position also with limited means who will be not be able to afford the increased charges and will be forced to give up their allotments.</p> <p>It would appear counterproductive to bring this kind of extortionate payment strategy into operation when the situation for any allotment holders is less income, the need to produce their own food and peace of mind. A place that all the family can visit and stay safe.</p> <p>Within 10 years the rental has increased 300% and now the proposed charges per square metre .</p>	
<p>I object to what appears to be a major step change in pricing with the fixed charge AND a per square meter charge. This for myself will equate to a second major 'step-change' price increase and as a retired person, possibly prohibitive. This increase will negate many of the advantages of 'growing our own' vegetables.</p> <p>Whilst I do not object in principle to what appears to be a management structure - I suspect that this might just be another layer of bureaucracy.</p> <p>Over the last few years I have been underwhelmed by SBC's inability to take any responsibility for the Innerleithen allotments paths and boundaries. I have requested a section of Beech Hedge which is not my responsibility to be cut which was ignored, There has been no path maintenance and finally, I have complained about a neighbouring plot which has been abandoned to all extent and purpose for at least the last 3 growing seasons. So, please, lets have a values statement enshrining a commitment to facilitating and enabling rather than and control.</p>	Innerleithen
<p>While most of the proposed allotment rules, regulations and conditions of let are sensible and uncontroversial, the proposal to more than double the annual rental fee, raising it from £43.50 to £106 by adding a charge of 25p per square metre (based on the standard size of 250 sq m) cannot be justified any more than charging the full allotment fee for those who have voluntarily divided their allotment in half.</p> <p>Renters are by definition people who cannot afford their own gardens, but they still devote considerable effort to maintaining and improving their allotments, as well as making the financial commitment to buy equipment and make and renew infrastructure such as raised beds and paths. The meagre financial benefit to the Council of the rent increase is out of all proportion to the financial hit to the allotment holders: surely there can be a fairer way forward?</p> <p>It should be noted that the neglected condition of many of the Guthrie Drive allotments when they were allocated means it has taken some allotment holders 2 to 3 years to bring them fully under cultivation, while others have just given up and left the problem to the next applicant.</p> <p>Lastly, many if not most of the renters are, like ourselves, pensioners whose health and wellbeing greatly benefit from the exercise, fresh air and contact with the natural world which come from working an allotment. For these and the above reasons I believe we deserve to be encouraged rather than penalised.</p>	

<p>Allotment Rules and Regulations - My comments/questions are as follows:  2 (a) and 2 (b) Is the management fee the current charge of £43.50 per annum?  2 (e) What criteria will be used to decide on any increase on an annual basis?  3 (d) Will SBC staff be maintaining the boundary fences, communal gate and path areas that are not part of the allotment plots?  4 (c) If SBC staff are responsible for agreeing, checking and permitting a shed/greenhouse etc construction, why does a tenant require to approach the SBC planning department?  4 (h) Is it essential that each tenant secure their own personal insurance. Can a tenant decide not to insure and take the consequences if anything happened to their property/contents?</p> <p>There is no mention of a 'pond' - please can you advise and include rules relating to a pond.</p> <p>Conditions of Let  I totally agree that someone who has a half plot should not pay the same as a tenant with a full plot. However, I consider the starting cost of £0.25p per square metre to be excessive for the first year as this will increase the annual cost considerably. There is no account taken for the condition of each plot and the expense that a tenant has to pay in order to make the plot viable to be able to grow produce.</p>	<p>I have an allotment at Guthrie Drive, Hawick</p>
<p>While I appreciate that an overhaul of the service may have been needed, including rentals for allotments, I'm not very happy at how it has been presented to allotment holders, and I'm not happy at rentals that are proposed (the big rise in rental costs, or the system for costing the rentals).</p> <p>Notification by the council to allotment holders of the proposed changes was done by hanging a copy of the new rules and contract on the back of our allotment door in late October 2020. Info was given on this form about accessing the info online. Feedback was sought, but has to be in by 8 Dec. In late autumn, activity at the allotments is really low, so this notice could easily have been missed or not seen at all by some of the allotment holders. This did not feel like a good way for the council to be consulting with their service users. I was recently billed by the council for my annual fee...could they not have sent a letter out with these invoices?</p> <p>The council has given no context or background to these proposed changes...why these changes, why now, what benefit or purpose do they serve? I think this is a serious omission...it's difficult to give considered feedback without a full context for the changes.</p> <p>A major concern in the proposed changes is over rental costs.  I currently pay a flat fee of £43.50 a year.  The new proposals are for this same flat fee plus 25pence per square metre. I have 196 sq metres, so would be charged an additional £49 pounds, so more than doubling my rent. I appreciate that rents might have to increase, but this price rise seems far too steep. And with no justification given.  (Again, in this consultation with us, the council has not provided us with upfront info on our allotment sizes...I was given mine when I requested it, but it was not provided as part of the consultation).</p> <p>I also believe the flat fee plus sq metre charge is not a fair one, or well thought out. The allotments are all of differing sizes, and this system would mean that holders of smaller allotments would pay proportionately more than holders of larger ones.  I've tried to do research on what other local authorities charge: from the info readily available online, whilst charges vary enormously, most LAs do not charge a flat fee but charge only by the sq metre. This seems very fair and equitable: the bigger the allotment, the more you pay.</p>	<p>I am an allotment holder at the Burgh Hall site in Peebles.</p>

<p>SBC does not mention anything about concessions: again other authorities offer concessions for those on low incomes. I believe it would only be reasonable and fair for SBC to do the same. For single parent families as well.</p> <p>I object to these changes due to:  the very poor way the consultation has been carried out  the very steep and unjustified rent increase that is proposed  the need for a fairer and more equitable rental system to be introduced (sq metre charging only, with concessions for low income households and single parent families).</p>	
<p>The Consultation process: On the 21st Oct 2020 Scottish Borders Council (SBC) opened a consultation on the Proposed allotment rules and regulations 2020. A notice of the Consultation was posted on some gates at the Gytes Allotment site. Posting a notice on gates in the winter, with allotments dormant, is clearly not an effective way to engage plot holders in a consultation. There was no mention of the consultation in the council publication SBConnect distributed in November 2020 or the invoice for 2020-21 allotment rental, received on the 18th Nov 2020. The Council has contact details for all allotment holders yet failed to notify us of the proposed changes.</p> <p>In the Council response to Christine Grahame MSP it states that the change in charging structure was agreed by councillors in February 2020. I believe a survey of plot sizes, was undertaken in 2019. It is clear that SBC has agreed and planned the changes in charging well in advance of informing and engaging with allotment holders and Borders residents. Consultation should have taken place at the beginning of the process rather than at the end. This demonstrates a contempt for the views of Borders residents</p> <p>The proposed charging structure: The only substantive change in the proposed allotment Conditions of Let is an increase in rent from the current £43.50 per year to a system of fixed £43.50 charge plus £0.25 per square metre plot size. I agree that it is much fairer to base allotment rent on plot size. However, by adding a flat rate fee to the charge per square metre, smaller plot holders pay proportionately more than those with bigger plots. Many Scottish councils base rental on allotment size but without an additional flat rate fee.</p> <p>Transparency: There is a lack of transparency in the method used to calculate a fair rent with no indication of the costs to the council of administration and other services, other than to state allotments are heavily subsidised. Of course, most Council services are heavily subsidised. That is why I pay Council Tax to subsidise the Council! In SBC communications with Christine Grahame MSP and the Peebleshire News the fixed £43.50 has been called an 'administration charge'. Is it a coincidence that the cost of administration exactly matches the old rental charge?</p> <p>Concessionary rates: There is little provision in the Regulations made for those less able to afford the full rent for an allotment. The leader of the council, Shona Haslam has stated recently that it was always the intention to have concessions. This does not feature in the current consultation other than Paragraph 2d in the Rules and Regulations which advises tenants to contact SBC if they have difficulties in ability to pay. This is of no use to prospective tenants and it is unclear what concessions might be made for existing tenants. A survey of some Scottish councils showed all to have a concessionary rate for those on low income, typically 50% of the full charge.</p> <p>Step increase in rental: The change will double or treble the rent for many plot holders from April 2021. It is unreasonable to impose such a large step increase in rents. Those who may struggle with the new rent now have a matter of months to consider whether to abandon cultivation. Any sizeable increase in the 'fair rent' should be phased over a period of years.</p> <p>Engagement with the community: The Consultation specifies the Council's expectations of allotment holders but fails to give any indication of the services that they, in return, can expect from the Council. In fact, the services provided for the Gytes allotments are</p>	<p>Gytes allotments Peebles</p>

<p>minimal. Vacant plots are not promptly re-let. Water supply is variable or inaccessible. Trees have been allowed to grow in the boundary and overshadow plots. Rabbits infest the site. Access to plots near the Tweed has been compromised by the rugby pitch. Over the years the site has been allowed to deteriorate. In the longer term the Council should form a partnership with the local community and allow allotments to be managed locally rather than centrally. Local management will allow bidding for capital grants for the expansion and improvement of the facility. In turn this will help the Council develop its Food Growing Strategy.</p> <p>Community Empowerment Act: In failing to consider the points noted above, the Council is not meeting</p> <p>the obligations placed on it by the Scottish Government in the Community Empowerment Act (Scotland) 2015, Part 9.</p> <p>Summary: It is fair to base allotment rent on plot size, but without a flat rate component. In accord with the Community Empowerment Act, there should be transparency about the method used by SBC to determine a fair rent. A clearly stated concession rate is needed for those on lower incomes. Any substantial increase in rental for existing plot holders should be phased. In the longer term a move should be made to local rather than centralised management, development and improvement of allotment sites.</p>	
<p>I am an allotment tenant at the Gytes in Peebles and I wish to comment on the proposed rent increases.</p> <p>Firstly, the consultation on this matter has been most unsatisfactory and anyone could be forgiven for thinking that SBC is applying these increases on the sly, giving very little chance for tenants or any interested parties to comment. I only learned of these proposed increases by chance. I understand SBC put notices down at the allotment entrances but I have never seen them. The consultation period is very short (21 October to 8 December) and is being done at a time when the growing season is over and very few tenants are likely to be down at the allotments and see the notices I refer to above. To compound matters, SBC have sent out invoices for next year and have not mentioned any price increases. This is very odd and all smacks of underhand tactics by SBC.</p> <p>It is my understanding that the proposed increases have already been agreed at some previous Council meeting. How is it then that the Rules on the Council website, outlining among other things the price increases, are open for comment? Is this some form of retrospective consultation that should have been done before the price increases were agreed?</p> <p>Could you please let me know how you (SBC) have calculated the cost of an allotment. I have had my allotment for about seven years. For the first few years it cost me £10, then it was increased to £40 (I can't remember any consultation that time) and now it is going to have a fixed element of £43.50 and an additional charge based on square meterage. In principal I do not have any objection to the structure of these charges but I would be grateful if you could explain how you have determined what the actual charges should be. SBC appear to be applying market principles to allotment charges, ie, there is a fixed number of allotments, there are lots of people on the waiting list for an allotment, therefore they are increasing charges to raise some additional revenue. This is unfair, especially on (both existing and prospective) less well-off allotment tenants, in particular those on low incomes, the unemployed and pensioners. SBC should not be discriminating like this.</p> <p>Working an allotment to grow food is only marginally economical and raising the cost of rents may make it uneconomic for many people. In effect, allotments would just be a hobby for the more well-off, and low income tenants will suffer. This is unacceptable and SBC should not be introducing these increases. If they do insist on these increases they should be made fairer so that working an allotment is affordable to all.</p> <p>Finally, it is well known that growing food, gardening and working an allotment is of great</p>	<p>Gytes Peebles</p>

benefit to the mental health and well-being of people. There are numerous studies that show this and I have even read recently that in some places it is being prescribed by GPs to improve the mental health of patients. SBC should be encouraging and facilitating residents in the Borders to get an allotment and improve their physical and mental health. It is about time the Council showed a bit of leadership and vision and moved away from the bean counting that has resulted in these proposed rent increases.	
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<b>EMAILS RECEIVED IN RESPONSE TO LETTERS ISSUED TO ALLOTMENT HOLDERS/WAITING LIST MEMBERS</b>		
<b>Relevant Site</b>	<b>New Cost</b>	<b>Details of communication</b>
The Gytes	£67.20	Customer shocked at price increase. Wanted to know why the costs have been increased, when the council do little to assist. Allotment is 1/3 and unfair she pay's the same as others.
The Gytes	£97.50	Register my strongest protest against the proposed increase to the allotment by adding a meter square charge to the existing fee, as origionally £10, now over 300% higher at £43.50
The Gytes	£88.93	Customer would like to know the cost of his allotment, as the website quotes £43.50 but his charges say £43.50 plus 0.25p per square meter.
The Gytes	£76.85	Over 10 points made on why the costs should not be increased. Has cultivated the allotment for some time, however unhappy at the services we have provided and managed, along with details regarding the condition of the allotment when it was taken on. Further information attached in comments of entire communication

### APPENDIX 3 – CONCESSION SCENARIOS

		Total No. of plots	86				
		Total Income (New Price & No discounts)	£ 7,381.12				
		Avg plot price	£ 85.83				
		<b><u>10% take up discount</u></b>		<b><u>20% take up discount</u></b>		<b><u>30% take up discount</u></b>	<b><u>50% take up discount</u></b>
Discounted Plots	9	Discounted Plots	17	Discounted Plots	26	Discounted Plots	43
Full Paying Plots	77	Full Paying Plots	69	Full Paying Plots	60	Full Paying Plots	43
		<b><u>10% Discount</u></b>		<b><u>10% Discount</u></b>		<b><u>10% Discount</u></b>	<b><u>10% Discount</u></b>
Full paying Plots Income	6,609	Full paying Plots Income	5,922	Full paying Plots Income	5150	Full paying Plots Income	3691
Discounted Plots Income	695	Discounted Plots Income	1,313	Discounted Plots Income	2008	Discounted Plots Income	3322
Total Income	7,304	Total Income	7,235	Total Income	7158	Total Income	7012
		<b><u>20% Discount</u></b>		<b><u>20% Discount</u></b>		<b><u>20% Discount</u></b>	<b><u>20% Discount</u></b>
Full paying Plots Income	6,609	Full paying Plots Income	5,922	Full paying Plots Income	5150	Full paying Plots Income	3691
Discounted Plots Income	618	Discounted Plots Income	1,167	Discounted Plots Income	1785	Discounted Plots Income	2952
Total Income	7,227	Total Income	7,089	Total Income	6935	Total Income	6643
		<b><u>30% Discount</u></b>		<b><u>30% Discount</u></b>		<b><u>30% Discount</u></b>	<b><u>30% Discount</u></b>
Full paying Plots Income	6,609	Full paying Plots Income	5,922	Full paying Plots Income	5150	Full paying Plots Income	3691
Discounted Plots Income	541	Discounted Plots Income	1,021	Discounted Plots Income	1562	Discounted Plots Income	2583
Total Income	7,149	Total Income	6,943	Total Income	6712	Total Income	6274
		<b><u>40% Discount</u></b>		<b><u>40% Discount</u></b>		<b><u>40% Discount</u></b>	<b><u>40% Discount</u></b>
Full paying Plots Income	6,609	Full paying Plots Income	5,922	Full paying Plots Income	5150	Full paying Plots Income	3691
Discounted Plots Income	463	Discounted Plots Income	875	Discounted Plots Income	1339	Discounted Plots Income	2214
Total Income	7,072	Total Income	6,797	Total Income	6489	Total Income	5905

<b>50% Discount</b>		<b>50% Discount</b>		<b>50% Discount</b>		<b>50% Discount</b>	
Full paying Plots Income	6,609	Full paying Plots Income	5,922	Full paying Plots Income	5150	Full paying Plots Income	3691
Discounted Plots Income	386	Discounted Plots Income	730	Discounted Plots Income	1116	Discounted Plots Income	1845
Total Income	6,995	Total Income	6,652	Total Income	6265	Total Income	5536
Budget	7,381	Budget	7,381	Budget	7,381	Budget	7,381
Budget Pressure 10% Discount	77	Budget Pressure 10% Discount	146	Budget Pressure 10% Discount	223	Budget Pressure 10% Discount	369
Budget Pressure 20% Discount	154	Budget Pressure 20% Discount	292	Budget Pressure 20% Discount	446	Budget Pressure 20% Discount	738
Budget Pressure 30% Discount	232	Budget Pressure 30% Discount	438	Budget Pressure 30% Discount	669	Budget Pressure 30% Discount	1,107
Budget Pressure 40% Discount	309	Budget Pressure 40% Discount	584	Budget Pressure 40% Discount	893	Budget Pressure 40% Discount	1,476
Budget Pressure 50% Discount	386	Budget Pressure 50% Discount	730	Budget Pressure 50% Discount	1,116	Budget Pressure 50% Discount	1,845