

SUSTAINABLE GROWTH AGREEMENT

Collaboration and Innovation through Partnership



Midlothian



SEPA
Scottish Environment
Protection Agency

Buidheann Dion
Àrainneachd na h-Alba



SHAWFAIR



SUSTAINABLE GROWTH AGREEMENT

What are Sustainable Growth Agreements?

Sustainable Growth Agreements are voluntary, non-legally binding, formal agreements through which an organisation (or organisations) and SEPA can explore new and innovative ways to improve environmental performance and focus on practical actions that deliver environmental, social and economic success.



MIDLOTHIAN COUNCIL

Midlothian House
40-46 Buccleuch Street
Dalkeith
EH22 1DN



SCOTTISH ENVIRONMENT PROTECTION AGENCY (SEPA)

Strathallan House
Castle Business Park
Stirling
FK9 4TZ



SHAWFAIR LLP

27 Silvermills Court
Henderson Place Lane
Edinburgh
EH3 5DG

SHAWFAIR

(each a Party and together the Parties)

The Parties agree to work collaboratively to deliver the commitments set out in this Sustainable Growth Agreement ("this SGA" / "this Agreement")

Date signed:

Alternative languages and formats

For information on accessing this document in an alternative format or language please either contact SEPA by telephone on 03000 99 66 99 or by email to equalities@sepa.org.uk

If you are a user of British Sign Language (BSL) the Contact Scotland BSL service gives you access to an online interpreter enabling you to communicate with us using sign language.

The Vision for Shawfair

The vision for Shawfair is to become a model for healthy living for places across the country, demonstrating how a new, highly connected place can be an attractive alternative to traditional suburbs and isolated developments.

Envisaging a particular character for Shawfair is not completely straightforward - Midlothian has a proud industrial heritage from which to draw inspiration in terms of architectural forms, materials and structures. Shawfair needs to tread a careful line between references back to industrial heritage and looking to contemporary models which without careful handling risks falling into 'anyplace'. Shawfair should therefore be seen as a positive new place which can stand in its own way and indeed several of the biggest features of the settlement (such as the new railway station, the Town Centre Community Campus and the District Heating System) point to a modern and truly sustainable neighbourhood in which people can live, work and play while minimising their impact on the environment. Just one of those elements would be deemed a highly desirable aspect of any new settlement, so to have all three shows the scale of the ambition and significance of Shawfair.

Such themes of environmental sensitivity are becoming increasingly prominent and will be reflected in the choice of materials, the design of buildings, the array of home types, the configuration of amenities and the shaping of landscape spaces.



Midlothian Council's Vision

Midlothian Council's corporate vision is to make Midlothian a *Great Place to Grow*; our 3 main aims are to *reduce inequalities in learning opportunities, health opportunities and economic circumstances*.

The vision for Shawfair is for it to be an accessible place with a vibrant town centre, a distinctive place and a well-designed town with sustainability at its heart. It will foster a strong community. Shawfair is well-planned and will be a model for future new settlements.



SEPA's Vision: What is One Planet Prosperity?

Everyday SEPA works to protect and enhance Scotland's environment, helping communities and businesses thrive within the resources of our planet. SEPA's Regulatory Strategy, One Planet Prosperity, describes the 21st Century environmental challenges that Scotland and other countries across the world face, including over-use of natural resources and climate change.

According to the ecological footprint measure, Scotland needs approximately three planets to sustain its current way of living. There is, however, only one planet and most nations around the world face the dilemma of significantly overusing the planet's capacity to support human activity.

All parts of our communities, businesses and the Government will have key roles to play to enable Scotland to successfully tackle this 21st Century challenge of creating social and economic success within planetary constraints. Sustainable Growth Agreements are one way of helping achieve this, recognising that the most successful places in the 21st century are those that will see environmental and social success as an opportunity. Shawfair offers such an opportunity.



Shawfair's Vision

Shawfair's corporate vision is to create a truly great place to live at Shawfair, whether that is judged on health and wellbeing, working lifestyle, exceptional schooling, leisure and outdoor facilities, fantastic transport links, quality and variety of homes or even the enjoyment of peace and quiet.

Our committed aim is to develop and support a community at Shawfair which is capable of embracing new and flexible ways of living; both self-sustaining and embracing its' place in the wider region.

Our joint aspirations

The Parties agree to work collaboratively to deliver the commitments set out in this Sustainable Growth Agreement (“this SGA”/ “this Agreement”).



Partnership’s Key Vision for Shawfair SGA

Innovation through partnership to support thriving active communities

This Sustainable Growth Agreement (SGA) is the commitment from the Scottish Environment Protection Agency (SEPA), Midlothian Council and Shawfair LLP that the partnership will work together to deliver a world class exemplar development within One Planet limits. Our joint vision for Shawfair is the development of a great place that stands the test of time – one which showcases high quality, well designed development, using low carbon district heat efficiently, in a place that promotes wellbeing and healthy lives for those who live and work there. This SGA draws upon the strong, detailed, full masterplan and design guide approved in 2007 by Midlothian Council and Outline Planning Permission with Section 75 Agreement issued 2014 for the Shawfair site. In addition we commit to building on this to deliver a welcoming place that maximises social cohesion, economic productivity and environmental quality and sustainability. The SGA and Shawfair development will adapt to future changes within the Masterplan and Design Guide context to reflect planning policy, maximising the opportunities for improved design and layout that arise.

The success of our joint vision aims will be from the delivery of the following outcomes:

- The creation of a well designed place for people to live and prosper and connecting people to their environment in a positive way now and in the future. This resilient, sustainable place will protect and improve the natural environment, encourage active travel and help people to reduce their carbon footprints through excellence in design.
- A place that has efficient and low carbon buildings that use low carbon heat as standard, taking the opportunity to make use of heat provided by the Recycling and Energy Recovery Centre and other low carbon opportunities within or adjacent to the site as they become available, and allows for the expansion of the heat network where opportunities arise.
- The development of the “Shawfair Approach” that puts collaborative working and partnerships at the centre of new development.
- The development of partnership working through a Development Management Forum to support the partners working positively together throughout the development process.



Delivering our vision: The Shawfair Approach

The Shawfair Approach is our way of working together – building on the trust and relationships we already have, and instilling our inherent integrity, honesty and openness to create a truly collaborative approach to delivering development that is world class, takes responsibility for its impacts on the environment and takes care of the people who live and work and play there now and in the future. The Shawfair Approach is about “getting it right first time” in the planning of this new town, making sure we work proactively together to ensure planning applications are submitted that are consistent with the masterplan, the Shawfair Design Guide, and this SGA. The Shawfair Approach is about working together on a long term project with a shared long term vision, one that has the flexibility to respond to new policy and new technology and priorities expressed by local communities.



The Shawfair Approach:

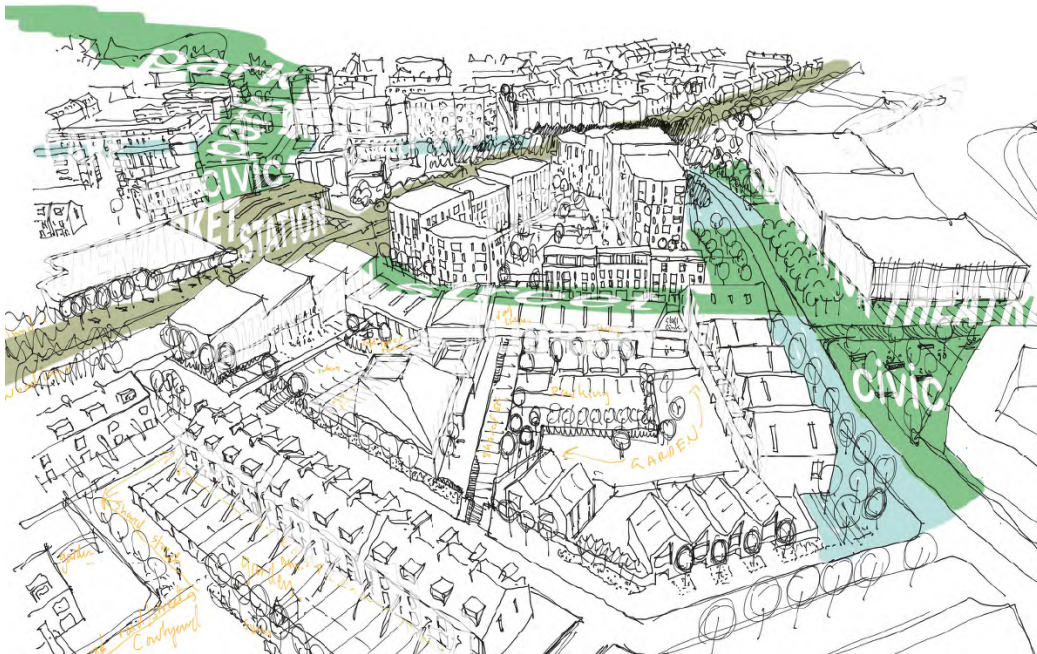
- Sets a benchmark of early and effective collaborative partnership working.
- Has a long-term vision – of both development and working together.
- Embodies a smooth and efficient planning process where collaboration is key, using the existing Shawfair planning pre-application process to bring all parties together into a Development Management Forum to discuss the planning development of Shawfair ensuring consistency with the SGA, the Masterplan and Design Guide, the Drainage Strategy for Shawfair and design briefs.
- Provides optimised opportunity for reliable and prompt application determination through clear, well informed, well-structured and properly considered package detail.
- Involves SEPA’s regulatory and permitting role at these early stages where appropriate.
- Avoids duplication of effort – where a process exists and works, we will make the most use of this.
- Improves the structure of the decision making process in the development project and increasing collaborative ways of working.

Actions to deliver the Vision

The work involved in preparing and delivering the SGA has further built upon the existing strong partnership formed between SEPA, Midlothian Council and Shawfair LLP, one which has the capacity to grow in the future as Shawfair grows and develops. The role of the SGA for the next three years will be to jointly deliver the following outcomes which have been grouped into themes to reflect the phases involved in creating a new exemplar development:

Design

- Standardised planning submission protocol through agreed application matrix and processing agreements ensuring consistency and clarity for all development stakeholders.
- Throughout the Shawfair masterplan, where commercially and practically



via, all developing design will include District heating as a standard energy supply option, and design for future low and zero carbon energy needs of the community. As the District Heating ESCo contract is developed, this action will be updated.

- General principles of development design and layout will protect space for district heating pipe runs to ensure this key component of the Shawfair development can be undertaken.
- Encourage all new development to show how they will thoroughly address and prioritise the extant Midlothian Council Local Development Plan policies and supplementary guidance relating to energy efficiency, low carbon generation, sustainable design, open space, pollution prevention plans and green and blue networks and all other Supplementary Guidance and Supplementary Planning Guidance. Shawfair LLP and Midlothian Council will guide developers in their expectations on this matter.
- Pursue a mutually beneficial ambition to ensure land-use efficiency and progressive waste management
- Pursue a mutually beneficial aim to ensure progressive vehicle parking, electric vehicle infrastructure and car-club, maximised public transport, and pedestrian and cycle travel promotion.
- Commitment to ensure consistent implementation of quality landscape design, installation, maintenance and protection to all green and open space at Shawfair.
- Development will protect and enhance the blue-green infrastructure, creating multifunctional space, including park and play provision, that delivers social, economic and environmental benefits.

Build

- An agreed programme of works will be formed (soils management plan, re-use of materials on site during construction phase, zero waste construction, site waste management plans, phasing of development) so all parties, and the community, know when and where development will take place.
- Ensuring clear maintenance proposals in the long term will be established to ensure Shawfair continues to be a place of quality, desirability, prosperity and efficiency in the future.
- SEPA will commit to supporting developers through the appropriate regulatory processes during the build and development phases.
- SEPA will ensure the monitoring outputs of the regulated facilities, including the Recycling and Energy Recovery Centre (RERC) are available and can be used to inform any future development at Shawfair.
- Commitment to connect to RERC once the required base heat demand load has been reached, where a business case can be established.
- Midlothian Council will prepare supplementary guidance on district heating, SEPA have committed to supporting the development of this.
- SEPA will support Midlothian Council in discussion sessions as part of the Heat Network Energy Services Company Joint Venture partner procurement process.



Legacy

- The practices and partnership working born from the Shawfair development and this SGA will become a standard approach, enshrining the efficient and effective approach towards major new development of significant scale to increase certainty and quality.
- Using the above actions to inform the Key Agencies Group Place making sub-group.
- Review the SGA to check and report progress against each action annually.
- Review the SGA with the potential to expand the membership and signatories after 1 year and every year after that.
- Assess, amend and promote the value of this SGA and consider the opportunity to replicate the Shawfair Approach and other positive learning to other developments.

SUSTAINABLE GROWTH AGREEMENT MANAGEMENT

1. All applicable laws continue to apply to MIDLOTHIAN COUNCIL AND SHAWFAIR LLP and nothing in this Sustainable Growth Agreement is intended to, or shall be deemed to: (a) establish any partnership or joint venture between the Parties, constitute any Party as the agent of the other Party, nor authorise any of the Parties to make or enter into any commitments for or on behalf of the other Party; and (b) adversely affect or prejudice the ability of SEPA to act in its capacity as a regulator or adversely affect or prejudice the ability of (MIDLOTHIAN COUNCIL AND SHAWFAIR LLP) to meet their statutory and regulatory obligations.
2. The Parties have agreed that this Sustainable Growth Agreement will remain in place for five years from the date of signing this Sustainable Growth Agreement.
3. This Sustainable Growth Agreement is not legally binding and creates no legal rights or legal obligations between the Parties. ALL Parties are accountable and responsible for honouring their commitments in this Sustainable Growth Agreement.
4. This Agreement will be made available to the public by ALL Parties (e.g. on MIDLOTHIAN COUNCIL, SEPA and SHAWFAIR LLP websites).
5. Opportunities to promote the Sustainable Growth Agreement and its outcomes will be included in the annual reporting to the Chief Executives.
6. There will be a formal Annual Review and joint Annual Reporting by MIDLOTHIAN COUNCIL, SEPA and SHAWFAIR Chief Executives to assess progress against the commitments set out in this Sustainable Growth Agreement and its' associated Processing Agreements/submission protocol to assess success.
7. The Annual Review and joint Annual Report can also identify areas of focus for the following year; possible amendments or additions to the Agreement;

and opportunities to promote the Agreement.

8. The joint Annual Report on this Sustainable Growth Agreement will be presented to MIDLOTHIAN COUNCIL, SEPA and SHAWFAIR LLP and made available to the public.
9. ALL Parties reserve the right to withdraw from this Sustainable Growth Agreement if they believe it is no longer effectively promoting their aspirations/KEY AIMS.
10. If a Party is considering withdrawing they will notify the Chief Executive of the other PARTIES of their intention. ALL Parties agree to work together to seek a resolution wherever possible.

For Midlothian Council

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Signature

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Name

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Position

For SEPA

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Signature

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Name

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Position

For Shawfair LLP

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Signature

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Name

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Position



FURTHER INFORMATION & CONTACT



MIDLOTHIAN COUNCIL
www.midlothian.gov.uk
0131 270 7500
facebook.com/MidlothianCouncil
@midgov



SCOTTISH ENVIRONMENT PROTECTION AGENCY (SEPA)
www.sepa.org.uk
03000 99 66 99
facebook.com/ScottishEnvironmentProtectionAgency
@ScottishEPA



SHAWFAIR LLP
www.shawfair.co.uk
0131 524 0910
facebook.com/Shawfair