



It might just be worth observing that if the norm was for community ownership of land, the policy being launched today might be largely unnecessary. It is a function of the fact that so much land and renewables expertise is in private hands, and where benefit might not be shared, that policy is required to get some of the benefits to stay local. Community land ownership, by its very definition, and with its local democratic control, means that the community itself would automatically be the beneficiary of the proceeds of renewable development on their land.

However, even Community Land Scotland concedes that the transfer of land to communities the length and breadth of the Highlands might take a little longer yet and, until that better future arrives, there is need of policy to secure local benefit from current private developments!

Today's policy launch is very welcome. It clarifies the Council's thinking, and what it is evident is a very strong desire to provide some leadership and to place the strength of the Council behind efforts to secure as much benefit as is deemed possible.

From a community perspective the ambitious targets the Council is setting for developer contributions opens up many potential possibilities and opportunities.

We recognise the Council's policy straddles two distinct sets of circumstances, the onshore wind sector, and the potential in the offshore wind, wave and tidal sector.

These sectors have quite different characteristics and I want to look at them separately.

In the onshore wind sector it is much easier to identify affected communities, and the Council's policy makes clear the reason for community benefit is in part to recognise that local communities should benefit from the utilisation of a local resource. However, it also makes clear that communities most affected should have some compensation for disruption and inconvenience associated with renewable developments.

However, the policy goes further in recognising that there is a wider area impact of such development, hence the proposals for an element of Area and Highland wide funds.

The logic of the position is clear and understandable.

It is worth noting, however, that the policy is, in effect, a voluntary policy framework. It is not supported by specific statutory powers to enforce the policy. However, we would expect the majority of commercial developers will want to work with the Council on this.

It is less clear to me that all communities will want to readily adopt the policy positions set out, particularly communities which have traditionally faced declining futures and see the arrival of renewables income as the potential saviour of their community.

Our experience is that, given the right organisational framework and a clarity of purpose, communities will develop significant ideas that will strengthen their economic prospects into the long term, but substantial investment may be needed to get there. This would certainly be the case where communities had ambitions to take into their ownership community assets that will provide the means for their long term success – the purchase of their land, the nearby forest, the key sites and buildings that may provide for their future.

We believe that, particularly where it is an existing community owner that is developing the renewable proposal, therefore providing the land, securing the investment, carrying the associated risks, and doing so specifically to deliver clear investment ambitions in the fabric and economic potential of their community, it would take a great deal of persuasion to ask them to give up some of the income to other communities.

It may be that, in fragile communities and where there is a clear purpose to develop the economic prospects of those communities, the Council needs to recognise that, support that purpose, and waive any aspiration to have them contribute funds. This would be particularly so where the area of community land is of such a scale that it spans a number of distinct communities and, therefore, within its own boundaries, it is securing wider community benefit.

It is also worth noting that community owners of renewable energy schemes are themselves framing ideas for a portion of those funds to be made available for local community organisations, and this needs to be taken into account.

In other local authority areas community owners are negotiating separate arrangements with the Council, which recognise differences between community owners and private owners.

None of this, however, is to deny the Council's purpose in this policy.

Underpinning the Council's policy is a recognition that not every community can benefit from renewables, because of planning and other considerations, and for the Council not to act where the community is not in direct control of the assets, risks some small communities gaining significant wealth, while others remain relatively impoverished.

The policy also recognises that such is the scale of some community benefit potential, it may be difficult in years to come for a very local and small community to effectively utilise all of the resource that may come their way.

Perhaps as the Council's policy evolves it can more strongly emphasise the need for funds to be invested in local development vehicles, like widening community land or forestry ownership, or in helping establishing development trusts, or other local anchor organisations to provide the vehicle for long term sustainable development. If that were the case the communities which the policy invites to give up some potential and a purely local resource, will be more willing to do so. I will come on to say a bit more about that in a few moments.

Moving to the offshore, the picture for communities is somewhat more complex.

Community Land Scotland has a firm and clear policy position in seeking radical reform of the way the foreshore offshore area is managed into the future. We have advanced that position clearly to the Scottish and UK Parliaments in recent debates about the future of the Crown Estate.

We believe that where community owners already exist, they should have the right to take over the ownership and management of the foreshore in circumstances where it is not already under their control, and also the immediate inshore seabed interests.

Transferring such control from the remote Crown Estate to local control would be entirely consistent with the move to greater community control of land assets promoted, for example, by the Land Reform Scotland Act.

If you have a community owner managing thousands of acres of the land up to the shoreline, making decisions about the use of that land, interacting with businesses and controlling and completing commercial arrangements for the use of the land, there is no reason why they cannot and should not control and manage the resource at the boundary of their land, which is the foreshore and immediate inshore seabed.

However, we readily concede that the further offshore one goes, given our very diverse coastline, with deep sea inlets and peninsula, and many islands – it becomes increasingly difficult to determine which community is most affected, and should therefore benefit, by any given development.

Further, the sheer scale and the potential legal complexity surrounding some of the potential major offshore developments would make community control of all the assets more challenging.

In this context the logic of the Council's policy about funds going in the main to Highland wide Fund, for distribution back to coastal communities is easy to see.

However, I repeat what I said earlier, where a community owner exists they should have the right to take control. The detail of what falls to local control may have to be after a negotiation to reflect the specific circumstances of the particular case.

Where a community owner does not yet exist, the arrangements set out by the council have a clear logic, but in our view the aim should be to support coastal communities to develop the capacity to exercise control of the foreshore and inshore seabed interests themselves, removing the Crown Estate, or any other distant landlord from the equation.

Again, the Council's policy on the use of the funds might gain most support if it emphasises the use of the funds to give the communities the opportunity to take greater control of their own future.

This takes me to the question of what use to which any funds available should be put.

The arrangements on who will administer the funds has yet to be finalised, and it may be that parties other than the Council may do so.

In that context it seems to us that it will be important to have very clear priorities for the use of the funds, stated explicitly up front.

In arriving at such clear uses it also seems to us that the Council needs to engage with representatives of community organisations very fully.

It is probably also the case that the Council needs to take account of a range of other funds operating, funding from HIE, from the LEADER programme, from the future SRDP, from the Coastal Communities Fund, and from the Big Lottery, for example.

Securing a good fit with the various other available funds would be for the purpose of maximising leverage opportunities for communities.

There is a clear sense of direction of the use to which funds should be put flowing from the policy launched today, but there is probably more work to be done to develop specific criteria.

The advantage of the Council being in the lead in this initiative is that there is a degree of democratic accountability, and it would be important to retain that into the future, and not devolve the administration of funds in a way that excludes further democratic influence on future policy on the use of the funds.

Communities, of course, want many things – often focussed on the matters that will help their long term sustainability as a community offering a high quality of life, and opportunity for all its inhabitants, current and future.

At a time of economic difficulty, with current living standards falling and unemployment rising, particularly among the young, people are naturally concerned about the economic prospects that provide local job opportunities and the income to pay the rent or the mortgage and the heating bills.

Such concern extends to the good times as well as the more challenging times in which we currently live. People and communities it seems to us are concerned always about:

- their local economy
- their education and health services
- an adequate supply of good quality housing, whether for rent or ownership;
- local amenity and the local and wider environment
- they want to see an ever improving and high quality infrastructure that lets them participate easily and fully in what society has to offer

That could range through improving the roads and bridges that allow them to get to work or the shops or theatre or sporting and other leisure facilities, to improving the broadband that allows them to do their business, to access information or learning, or to enjoy the ever burgeoning choice in on-line entertainment and gaming.

Among that very short list of community concerns is more than ample opportunity to spend the community benefit from renewables many times over. So, it seems to us it is going to be important to use these new resources on key priorities that strengthen our capacity to provide for the future.

One thing it would seem unwise to do with such funds, would be to use them to simply substitute for current public spending, or statutory purposes, normally funded by taxation. To do otherwise would be to put the long term future of such services on an uncertain financial footing, but would also not bring any real advance on current service levels or statutory responsibilities.

It seems to us it would be best to regard the funds as an investment fund, which would be best used to strengthen community resilience and opportunities for long term growth, for greater economic opportunity, from which social benefits flow.

It would be all too easy to make on-going revenue commitments which would soon soak up all the available resource, but which may do little to provide for the longer term.

For those of us involved in the sector of modern community empowerment, helping communities to acquire assets sits right at the heart of what will provide for that better future.

These would be assets that can be put to use in income generating activity that can produce on-going employment and revenue into the long term.

In the largely rural context of the Highlands, the most valuable thing a community can have is control of its own land and associated assets, as the foundation upon which to achieve so much else, whether that is:

- supplying land for housing or developing that housing itself, or
- managing the local forest for long term income and the supply environmentally and economically sustainable fuel for local consumption, and for recreation, environment and scenic gain
- supplying the land for the new school or community centre, and the business units and tourism and leisure developments.

Controlling the land and associated asset is a key to so much more, and land in community hands is land for community benefit in perpetuity. Such organisations, like development trusts, have been through a process of community consultation, have developed clear community objectives and priorities, gained community assent to such plans, and have the capacity to be able to address these.

So, for us, a key use of the new resources coming on-stream should be to empower communities long term. Of course, that could also help communities take a direct stake in further renewables developments, thus further feeding their capacity to invest and grow.

Where that land transaction may not be possible, perhaps in the slightly more urbanised context, then there are other assets that can be put to use, if owned by the community for its long term benefit. So the building or key site for the trading social enterprise, or for commercial lease to private interests, or for amenity woodland for local recreation and conservation benefit.

These are the kinds of asset that can provide for a more self-sustaining community future.

It is pleasing to see that in the Council's policy thinking, these sorts of issues feature strongly.

But a strong discipline will be required to stick to the purposes that will best provide for the long term, for the economic future of the community, as there will be no end of worthy causes looking for funding.

This is not to say that there is not a place for the small grants to local community bodies that would see the mother and toddler group re-equipped, or the local youth club get the new goal posts it needs for its football team, or the pensioners group get the new carpet for the winter bowls season in the village hall, or indeed the village hall get the occasional refurbishment it needs.

However, if such support became the principal focus for the use of funds, I have little doubt they could be spent, and the amenity of many would be improved for a period, but what would be the lasting value?

The experience of the community land owning sector, and the new generation of community development trusts and other anchor organisations is that in the years immediately following an asset being acquired, there is a case for some support for development staff, to get the revenue raising ventures up and running.

Typically this can take from 3 to 5 years, and there is a case for this to have some support, perhaps particularly when in partnership with other funders whose programme are designed to develop the capacity of communities long term, like HIE and the Big Lottery.

In its policy the Council has also taken an approach that is about much wider community benefit, through, for example, skills development and apprenticeships, and alternative and renewables research.

On the face of it is difficult to see how a community, at very local level, could provide for this by themselves, and we can see a case to support such things, and to have that wider benefit perspective.

However, we would also urge that anything on apprenticeships is capable of very local application, perhaps in partnership with colleges. It would be good to see the local garage or the agricultural engineer, or plumber, or electrician enabled to take on a local apprentice with funds generated from a local renewables source.

So, if I am to make any plea, it is one which fits with your broad policy direction, and it is to focus the spending to secure for a community the assets that will provide for their future to a far greater extent than today.

Chairman

I want to conclude by emphasising four points:

First, a welcome for the Council's initiative in seeking to get the best from the opportunity now presenting itself.

Second, to urge the use of the funds for investment which will empower communities for the longer term. Recognising too that in some circumstances, some development revenue support to communities to develop and bring their business plans to fruition can be important.

Third, to urge further consultation on the precise criteria for the use of funds and a mechanism for agreeing how to re-prioritise over time.

Fourthly and finally, to seek to find common purpose on the use of any funds with other existing funding sources, to maximise impact.

Chairman/Convener

I hope these thoughts have been helpful.