

Community Land Scotland

Chairman's Conference Report

For those who know me, they know I am not given to making long speeches, but there is much to say and, as last year, I thought it best to table a Conference Report for all Conference delegates to be able to study, take away, and as a basis to inform you and allow you to ask questions of my fellow Community Land Scotland Directors and me.

In last year's report I said that if you had told the year before that within 8 months of our first conference Community Land Scotland would be in the Scottish Parliament advancing a coherent policy agenda and making the running on some of the key issues, I would not have fully believed it. But we were, and we did.

I think if you had told me last year that Scotland's First Minister would have agreed to speak at this year's conference I would not have fully believed that either. But he has!

It is a great pleasure to be able welcome the First Minister to the Conference. We regard this as an honour and a real and clear statement that the Scottish Government finds within community ownership of land something of great value and even greater potential for Scotland.

Government, Parliament and Policy

This has been another very busy year for Community Land Scotland, a year in which we have made what I believe are significant contributions to influencing policy that affect our sector, something that the members of Community Land Scotland have made clear they value as a key matter we can tackle collectively. The interest in what community ownership has to offer continues to grow and attract wider national and international interest, and it is very gratifying to know people find what we do every day and now pretty much take for granted, is seen as novel and with potential elsewhere.

During the year we have made substantial policy submissions to the Scottish Government on the potential for the Community Empowerment and Renewal Bill and we have taken part in discussions with Minister's about that Bill and are represented on a Ministerial Working Group feeding in to the considerations in taking the Bill forward. We are looking forward to seeing what will emerge in detail from this and the connection this work has to wider land reform, particularly in the grant of any future urban right to buy.

During the year we welcomed the announcement by the Scottish Government that they had established a Land Reform Review Group and in particular we welcomed the appointment of Jim Hunter to that group and the remit it was given to be radical in its thinking. In response to a call for evidence we again made a substantial and I believe a well-reasoned policy submission. That submission made the point, among many others, that the welcome purchase powers granted to communities in the 2003 Land Reform Act had helped change the dynamics of community land purchases but that, despite the remarkable progress made in some areas of Scotland in recent years, that progress was very marginal indeed in securing fundamental change in the anachronistic land ownership patterns that exist in Scotland. The submission identified a fundamental weakness in the current legislation in tying progress to the condition that purchase could proceed only when there

was a willing seller of land, even if a change of ownership would be in the public interest. We further highlighted changes that were needed to streamline the current Act. In recent weeks we have seen the interim report of the Land Reform Review Group. That report promises more detailed consideration of the ideas we submitted as containing promise in moving land reform further forward. However, it would be fair to say that these points apart, there is some concern about the interim report and the extent to which it could be seen as radical and comprehensive in advancing land reform. Our initial response to the Interim Report can be found on our website, as can all our various policy submissions to government and parliament. It was a matter of particular regret that Jim Hunter had to stand down from the review group for personal reasons.

During the year we have also made submissions to the Scottish Parliament in response to calls for evidence from us on a petition about Allotments, and in response to a formal Committee Inquiry into regeneration.

We have further made a brief submission to the Scottish Human Rights Commission inviting them in their future planning to make room to consider issues of the collective human rights of communities and when these should take priority over individual rights to property. The Human Rights dimension the land question has become of greater interest during the year and offers potential new ways at looking at the question of land. During the year I spoke at a seminar organised by SCVO on the question of community ownership and human rights, and the later national 'Gathering' organised annually by SCVO also had a focus on land reform and human rights. All too often in the past the consideration of human rights has been raised in the context of ECHR (European Convention on Human Rights) and cited as a reason why you cannot do things to change current land ownership patterns as these are protected under ECHR. Individual human rights and property rights are important, but consideration of human rights extends well beyond ECHR which itself is not an absolute block on compulsory change in land ownership. I find it hard to conceive that those who drafted the ECHR had at the front of their mind the need to protect Scotland's largest landowners, yet it is regularly wheeled out to protect such interests. Given the far greater equity in land distribution in Europe the purpose of ECHR could be seen as much more to protect the individual interests of all of the people, and not designed to protect the interests of a few over the wider interests of the remainder. Wider human rights are an issue we intend to look at more fully in the future and I am delighted that Professor Alan Millar of the Scottish Human Rights Commission will be at our conference to discuss some of the issues with us.

This year has also seen us engage further with the Crown Estate in a number of ways. We gave further evidence to the Scottish Affairs Select Committee which made a highly critical report of the working of the Crown Estate during the year. We have met the Chief Executive of the Crown Estate on a couple of occasions and we have met with Marine Scotland about some of the issues arising. We continue in dialogue with the Crown Estate and will shortly hold a seminar with them for members about a range of issues. We are seeking through our dialogue to secure far wider opportunities for community land owners to take controlling interests in the foreshore (where they do not already have that) and an immediate offshore zone, together with securing interest in larger offshore renewables developments. I think it would be fair to say that the Crown Estate have found some of our thinking about new ways in which the world could be ordered challenging, but I have been grateful to the new Chief Executive for the interest she has shown and her willingness to engage with us on the issues. It remains to be seen just how far we might be able to move the

concept they have of Local Management Agreements to one that matches the responsibilities already carried by community owners in managing their land.

The Land Fund which was secured and which I welcomed and commented on in my last annual report is now up and running and a number of recipients of funds have been announced. This is very welcome progress. We continue to take an interest in the structure of the Land Fund and what the future holds for it. We have recently argued that if the Land Reform Review Group make recommendations that will extend rights and therefore opportunity for more communities to purchase, then the Land Fund will probably need to grow to match potential demand. As important is a now necessary signal that the Land Fund is not a one off fund which come to an end in 2015 but needs to be a rolling fund. This is a matter on which we will make whatever representations are necessary as we do not want to see any constraints on communities currently developing the aspiration to own their land.

This year has also seen the emergence of challenges to what a number of members or potential members would like to achieve, through interpretations of State Aid rules, particularly in relation to forestry purchases. This is a complex area and we have been active in looking at the issue, its implications, and possible ways through it. I am pleased to be able to say that we have recently seen the first public acknowledgement that the Scottish Government are working with their colleagues in DEFRA with a view to seeking to clarify with the EU the particular application of State Aid in relation to community ownership of forestry in particular. It is enormously frustrating for us to see constraints placed on funding Scottish Ministers have made available to advance community purchase and I am sure they find it frustrating too. We will continue to do whatever is necessary domestically or in Brussels to seek to have barriers removed.

During the year we helped arrange for the Rural Affairs, Environment and Climate Change Committee of the Scottish Parliament to visit Gigha as part of a familiarisation exercise. We know they found the visit enlightening and inspiring, and we will continue to liaise with the Parliamentary authorities on any ways we can assist their deliberations. We have also provided various briefings to MSPs as a group or individually as requested. I have been a regular attender at the Cross Party Group on Rural Affairs in Parliament and have presented on land issues to that group.

Wider Liaison

Beyond the Government and Parliamentary arena we have also been involved in a wide range of activities and represented at a number of seminars and meetings. We have taken part in meetings with SCVO and other partners in the wider community empowerment field such as the Community Alliance, Development Trusts Association Scotland, and Community Woodlands Association. We welcome this collaborative working with others with closely aligned interests and we recently agreed to join the Scottish Community Alliance in order to help our joint working arrangements while clearly retaining our own identity and priorities. We were pleased to take part in a major event organised by the Scottish Community Alliance in the Scottish Parliament in recent weeks.

Beyond this, we have presented to seminars on the Community Empowerment and Renewal Bill, to those with an interest in community ownership at a Scottish level, and to the Scottish Leadership Forum which brings together senior leaders from the public sector across Scotland. We have taken part in a seminar on refashioning the relationship between government and community organised

by the Carnegie UK Trust, and have met with the Forest Policy Group. I also spoke at a Conference commemorating the Pairc Deer Raids and colleague Directors have spoken at meetings with Scottish Land and Estates, the Small Communities Housing Trust, with the panel of the National Forest Land Scheme and, following attendance at the SNP conference last year, at the Labour Party Conference this year. I also attended an international seminar in Ireland at the invitation of the Plunkett Foundation on international co-operative actions and where the practical experience around land ownership in Scotland was seen as of great relevance to other international settings. We also contributed to work undertaken by Christian Aid on current land reform across the globe.

At our last AGM Jim Hunter launched the book commissioned by the Carnegie UK Trust - 'From the low tide of the sea to the highest mountain tops'. The book has become a great way to tell the recent history of community ownership and continues to make a contribution to better understanding the background and power of community ownership in regenerating communities, and we have used it regularly for this purpose. More recently the former Deputy Editor and respected economic columnist Alf Young and his son Ewan published a short book 'Charting Scotland's inspirational communities' which gives another insight and endorsement of remarkable work going on within communities across Scotland, including community land ownership. These are welcome statements of public interest in our field of activity. I have also had an article on land reform published in the Scottish Review.

All our liaison activity with Government, Parliament, other organisations described above is designed to promote our sector and what it potentially has to offer. We receive constant invitations to take part in such events and this will remain part of what we do in future.

Our work was recognised when we were given the accolade by the Guardian and Observer newspapers as one of 'Britain's New Radicals', and we are grateful for that recognition.

Membership

I am also delighted to report this year that our membership continues to grow. We have moved from the 17 founding members to 35 members today. We also know of a number of communities in various stages of seeking to secure their land, some in the mould of the large estate buy-outs we have seen in the past. This is very welcome.

As a trial innovation this year we organised three regional seminars, one in Harris, one in Oban, and one in Inverness for the wider Highlands. These were all well attended and successful events, allowing members to network, share experience and hear key inputs about current issues and support. We are grateful to the involvement of HIE and the Big Lottery in these events and for the input of the local authorities in the areas concerned.

During the year we have also seen our website grow in importance and in use. This has been greatly due to Ruth Cape who joined us recently as Membership and Marketing Officer on a year's placement as a Graduate. Ruth's work in liaising with members and helping organising events is already proving of considerable assistance.

Thanks

None of our work would be possible without the on-going financial support of HIE and support both financial and in other ways from the Carnegie UK Trust. For this we are extremely grateful. The Carnegie UK Trust has also, through Community Land Scotland, donated to Sabhal Mor Ostaig for permanent display and keeping, the Cailean Maclean photographic collection that Carnegie UK Trust commissioned to illustrate Jim Hunter's book referred to above. The photos are of people and places involved in community ownership in recent years and will now be accessible to a wider audience at Sabhal Mor Ostaig.

We have also enjoyed continuing and constructive relations with a number of civil servants in the Scottish Government working on land reform and wider community empowerment policy, and I am grateful to them for their positive approach to engaging with us.

Our core funding allows us to employ Peter Peacock as our part time Policy Director who, together with Ruth Cape makes up our entire staff support. The Board are grateful for the contribution they continue to make.

Our Directors continue to make a significant contribution with their time and wise counsel. Without their commitment we could not really make any impact and I am grateful to them. I would like to single out Lorne Macleod for special thanks this year. Lorne is stepping down as a Director and has also acted as Company Secretary and his absolute commitment to the cause of land reform and his experience and expertise from a wide range of settings has been invaluable. Brian Wilson one of our founding Directors stepped down during the year and I also want to thank Brian for his interest and all that he has done to help us.

Beyond this I would like to thank Highland Council for sponsoring this year's conference and everyone at Sabhal Mor Ostaig who have helped in preparation for the conference. Interest in our conference has grown both from members and from a wide range of interests who are looking to what we do and how they might support our activities and actions.

I have found this to be another very busy, stimulating and worthwhile year of activity in which I think our reputation as an organisation has continued to grow, all designed to better support members and secure the opportunity for more communities to share in the benefits of community ownership.

David Cameron
Chairman
Community Land Scotland