

JUNE 2011

## Community land ownership and community resilience

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### Summary



1. This research was carried out to examine the links between community ownership of land and development of associated assets, and the resilience of those communities. Seventeen community land trusts were visited in May 2011 to gather their responses to six key questions.
2. Community land trusts own and manage the land they have purchased from private landlords, public sector bodies or Government; they also develop the associated assets. Their focus is on long-term sustainability of the community and its land for future generations. Land owned and managed by Community Land Scotland members covers half a million acres, or 200,000 hectares. The oldest is the Stornoway Trust (1923), the youngest is West Harris Crofting Trust (2010), with four communities currently seeking to buy the land.
3. Communities buy the land they live on because they see land as the foundation on which all other developments sit. Ownership leads directly to the development of: private enterprise, investment due to security of tenure, affordable housing for rent and purchase, renewable energy schemes, infrastructure development, as well as ongoing estate management. This combination supports increased population and school numbers. The emphasis is on long-term stewardship, investment and growth.
4. Community land trusts are primarily volunteer run, and some have paid development officers. Boards are made up of entirely local, or a combination of local and external, people.
5. Challenges depend on stage in the land-purchase cycle (pre-purchase, the first 1-5 years post-purchase, and beyond 5 years) and to some extent on population numbers, which range from 23 to 11,000. Capability to address these challenges comes from both the local community, and through their connections with those beyond their locality.
6. Trusts address challenges through: maintaining engagement with the community; community involvement on the Board; spreading the workload; employment of staff rather than total reliance on volunteer input; and generation of revenue streams to allow for further investment.
7. Given the large scale of community land purchase, communities identify the need for training, guidance and support, to complement their own skills and capacities as they take forward the purchase and subsequent development of the land and its assets. They see localised decision-making as critical, since it means that communities are proactive rather than simply reactive. They identify specific mechanisms that can enhance their sustainability. They point to the importance of Community Land Scotland in lobbying and communicating evidence at national, strategic levels.
8. There is consensus across all community land trusts that the Scottish Land Fund (SLF) must be reinstated. The Land Reform (Scotland) Act 2003 creates the right to buy. The SLF creates the financial means to buy. They specify particular components of the SLF that need to be improved for it to be more workable. They also identify specific legislative requirements that they feel must be addressed, including the transfer of public assets to communities at below market value.
9. The study evidence shows that: resilience can be built and is not only a characteristic of a few communities; resilience is multi-scale – a combination of individual, group, community and external connections; resilience is achieved through deliberate actions or processes, as well as through unplanned decisions or events; communities believe localism is appropriate with associated support and training mechanisms.
10. The Scottish Government is committed to establishing resilient communities (National Performance Framework, Outcome 11). Evidence from the research shows that community land trusts are delivering that brief. Therefore, the potential reform of the Land Reform (Scotland) Act 2003, and reinstatement of the Scottish Land Fund (as set out in the SNP Manifesto), become more critical since they are not only relevant to land purchase and management, but linked with the ongoing resilience of Scotland's wider rural communities.



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# Fearann fo shealbh na coimhearsnachd agus coimhearsnachdan seasmhach

Dr Sarah Skerratt

## Geàrr-chunntas



1. Chaidh an rannsachadh seo a dhèanamh gus sùil a thoirt air a' bhuidheachd a' bhuaidh th' aige air coimhearsnachdan agus cho làidir agus a tha iad nuair a tha sealbh aca air fearann, agus a' bhuidheachd a th' aig mar a nì iad leasachadh air an fhearann agus an stòras a tha na lùib. Thadhail sinn air 17 urrasan fearann coimhearsnachd sa Chèitean 2011 gus am freagairtean a thional a thaobh sia prìomh cheistean.

2. Tha stiùir is sealbh aig urrasan fearann coimhearsnachd air fearann a cheannaich iad bho uachdaran prìobhaideach, buidhnean bhon roinn phoblach no bhon Riaghaltas; agus bidh iad a' leasachadh na cuid stòrais a thàinig leis an fhearann. Tha e na phrìomh amas dhaibh gun seas agus gum mair a' choimhearsnachd agus am fearann ùine fhada a chum maith nan ginealaichean a thig às an dèidh. Tha leth-mhillean acair, no 200,000 heactair, fo stiùir is fo shealbh coimhearsnachdan aig a bheil ballrachd ann am Fearann Coimhearsnachd na h-Alba. 'S e an t-urras as sine, Urras Steòrnabhaigh (1923), agus 's e am fear as ùire, Urras Croitearachd Taobh Siar na Hearadh (2010), agus tha ceithir coimhearsnachdan a' coimhead ri fearann a cheannach an-dràsta.



3. Bidh coimhearsnachdan a' ceannach an fhearainn air a bheil iad a' fuireach air sgàth 's gu bheil iad a' coimhead air fearann mar bhun-stèidh air am bithear a' togail gach nì eile a shoirbhicheas. Le sealbh air fearann thig: iomairtean prìobhaideach, airgead ga thasgadh seach gu bheil am fearann fo shealbh tèarainte, taighean air mhàl no rin ceannach aig prìs reusanta, iomairtean cumhachd ath-nuadhachail, leasachaidhean air a' bhun-structair, agus riaghladh cunbhalach airson na h-oighreachd. Bidh seo uile a' cur ri àireamh-sluaigh nas àirde agus àireamhan nas àirde san sgoil. Thathar a' cur cuideam air stiùbhardachd, tasgadh is fàs thar ùine fhada.

4. Gu h-àbhaisteach 's iad luchd saor-thoileach a tha a' ruith urrasan fearann coimhearsnachd, ach bidh oifigearan leasachaidh a gheibh tuarasdal aig feadhainn. Air cuid de bhùird, chan fhaighear ach muinntir an àite, air feadhainn eile gheibhear measgachadh de dhaoine bhon sgìre agus daoine bhon taobh a-muigh.

5. A thaobh dùbhlain, tha e an crochadh air dè an ìre aig a bheil gach coimhearsnachd ann a bhith a' ceannach an fhearainn (mus ceannaich iad e, a' chiad 1-5 bliadhna às dèidh dhaibh a cheannach, barrachd is còig bliadhna bhon a cheannaich iad e). Agus tha e an crochadh air àireamh an t-sluaigh, a tha a' dol bho 23 gu 11,000. Tha an comas a th' aca aghaidh a chur ris an dùbhlain sin ri linn oidhirpean na coimhearsnachd agus cheanglaichean a th' aca ri daoine bhon taobh a-muigh.

6. Gus dèiligeadh ri dùbhlain bidh urrasan: a' dèanamh coluadair ris a' choimhearsnachd; a' toirt àite do bhuill den choimhearsnachd air a' Bhòrd; a' roinn na h-obrach; a' fastadh luchd-obrach an àite a bhith gu tur an urra ri luchd saor-thoileach; a' cruthachadh shruthan airtid gus an urrainnear tuilleadh ionmhais a thasgadh.

7. Thig obair mhòr is uallach le bhith a' ceannach fearann coimhearsnachd, agus mar sin bidh coimhearsnachdan a' comharrachadh mar a tha feum aca air trèanadh, stiùireadh is taic, a chuireas ris na sgilean is comasan aca fhèin, agus iad a' ceannach agus an uair sin a' leasachadh an fhearainn agus a chuid stòrais. Tha e deatamach dhaibh gur ann sa choimhearsnachd fhèin a nìtear co-dhùnidhean, oir an uair sin tha a' choimhearsnachd a' stiùireadh ghnòthaichean seach dìreach a' dol leis an t-sruth. Bidh iad ag ainmeachadh innleachdan sònraichte a bheir piseach air seasmhachd na coimhearsnachd. Tha iad ag innse cho cudromach agus a tha Fearann Coimhearsnachd na h-Alba a thaobh a bhith ag iomairt agus a' cur fianais fa chomhair dhaoine aig ìre nàiseanta agus ìre ro-innleachdail.

8. Tha làn-aonta ann am measg nan urrasan fearann coimhearsnachd gum feumar Maoin Fearann na h-Alba (SLF) a stèidheachadh às ùr. Tha Achd Ath-leasachadh an Fhearainn (Alba) 2003 a' toirt dhuinn a' chòir gus fearann a cheannach. Tha an SLF a' toirt dhuinn an comas ionmhasail sin a dhèanamh. Tha iad a' comharrachadh phàirtean sònraichte den SLF a dh'fheumas a bhith air an leasachadh gus an obraich e nas fheàrr. Tha iad cuideachd a' comharrachadh ceistean laghail sònraichte ris am feumar coimhead, nam measg, a' reic stòrais phoblach ri coimhearsnachdan aig prìs a tha nas lugha na luach a' mhargaidh.

9. Tha toraidhean an rannsachaidh a' sealltainn: gun gabh neart no spionnadh a chruthachadh agus nach e dìreach nì a th' ann mar phàirt de nàdar chuid a choimhearsnachdan; thig spionnadh à iomadh tobar – measgachadh de cheanglaichean eadar daoine fa leth, buidhnean, a' choimhearsnachd agus daoine bhon taobh a-muigh; thig spionnadh tro oidhirpean is gnìomhan a dh'aona-ghnòthach, a thuilleadh air tachartasan is co-dhùnidhean ris nach robh dùil; tha coimhearsnachdan den bheachd gu bheil e iomchaidh gum bi a' choimhearsnachd fhèin aig cridhe na h-obrach le taic is trèanadh dha rèir.

10. Tha e na amas do Riaghaltas na h-Alba coimhearsnachdan seasmhach a stèidheachadh (Am Frèam Coileanadh Nàiseanta, Buil 11). Tha toraidhean an rannsachaidh a' sealltainn gu bheil urrasan fearann coimhearsnachd a' soirbheachadh mu choinneimh an amais sin. Mar sin, 's ann nas riata na buileach a tha na còmhraidhean mu mar a dh'fhaodar Achd Ath-leasachadh an Fhearainn (Alba) 2003 a dheasachadh às ùr, agus oidhirpean gus Maoin Fearann na h-Alba a stèidheachadh às ùr (mar a bha Manifesto Pàrtaidh Nàiseanta na h-Alba a' gealltainn). Chan e a-mhàin gu bheil iad a' bualadh air mar a thathar a' ceannach agus a' riaghladh fearann, ach cuideachd tha buaidh aig na nithean seo air cho seasmhach agus a tha coimhearsnachdan dùthchail na h-Alba.

## Purpose of study

This research set out to see whether there is a link between **ownership of land and development of associated assets by communities, and resilience of those communities**. For the purposes of this study, the following definition of resilience was used:



“the existence, development and engagement of community resources by community members to thrive in an environment characterised by change, uncertainty, unpredictability, and surprise. Members of resilient communities intentionally develop personal and collective capacity that they engage to respond to and influence change, to sustain and renew the community, and to develop new trajectories for the communities’ future” (Magis, 2010)<sup>2</sup>.

Four aspects of resilience were examined<sup>3</sup>:

- Whether communities are simply resilient or not, and cannot become resilient. This matters in policy terms because if resilience is simply an intrinsic quality of some communities and not others, intervention to enhance resilience is inappropriate.
- Whether resilience is multi-scale. So, is resilience at the level of the individual, group, community, or wider - bringing in people and institutions from outside the locality?
- Whether resilience is established and enhanced through deliberate ‘pathways’ and whether certain pathways in governance and decision-making are essential.
- Whether communities feel that it is appropriate that they should be expected to be resilient and take responsibility for their own futures and localities.

## Approaches used

17 community land trusts that are members of Community Land Scotland were first contacted in December 2010, to suggest this study. A presentation was then made about the research at the Community Land Scotland Conference in Tarbert, Harris, in March 2011, in order to create opportunity for discussion of the research with members. The semi-structured interviews with trust groups and individuals took place over a two-week period in May. The aim was to gather responses on the same six questions at each locality. These were the four research questions or themes above, plus two additional questions: (i) whether there is a difference between owning land and owning other assets (such as a petrol station, Post Office, shop, community hall); this is significant in terms of whether funding therefore needs to be differentiated for purchase of land and for purchase of other assets; (ii) a single policy message for the new Government. Following the interviews, thematic analysis was carried out, whereby each theme/question is used as a heading, and all responses for that theme or question are then examined to identify any sub-themes emerging. These findings were then organised for this Policy Briefing under the six themes below.

## Policy context<sup>4</sup>

Before examining the findings from the interviews, it is important to give a brief description of the policy backdrop to community land ownership in Scotland. The campaign for land reform in Scotland dates back centuries, although little changed in the structure of land ownership until well into the 20th century when notable developments included the transfer of Lord Leverhulme’s estate on the Isle of Lewis to the local community and the birth of the historic Stornoway Trust in 1923, and the UK Conservative Government’s handover of its crofting estates to local communities in 1990<sup>5</sup>.



<sup>2</sup> Magis, K. (2010), “Community Resilience: An Indicator of Social Sustainability”, *Society & Natural Resources*, 23: 5, 401- 416

<sup>3</sup> These are based on an analysis of the international literature. The references can be supplied.

<sup>4</sup> I am grateful to Dr Jane Atterton for contributing this section of the Policy Briefing. Thanks also to Steven Thomson (Bioeconomics Research Team, SAC), Professor Jim Hunter (UHI) and David Cameron (Chair of Community Land Scotland) for providing information for this section.

<sup>5</sup> More information on the history of the campaign can be found in: Bryden, J. and Geisler, C. (2007) *Community-based land reform: Lessons from Scotland*, *Land Use Policy* 24 (1), pp. 24-34. See also: Bryden, J., Fraser, S., Houston, G. and Robertson, I. (1990) *The Future of the DAFS Estates in Skye and Raasay, Ullinish, Scotland*.

In 1992 the Assynt Crofters Trust was created through a large-scale community buy-out and residents from Eigg and Knoydart initiated legal action to gain control of their land and forests, resulting in the creation of the Isle of Eigg Heritage Trust in 1997 and the Knoydart Foundation in 1999.

The election of a Labour Government with a commitment to greater devolution in 1997, and the re-establishment of the Scottish Parliament in 1999, both meant that momentum for land reform increased (Thompson and Atterton 2010, p. 354-5)<sup>6</sup>. The Labour Government set up the Land Reform Policy Group to review policies and other measures needed to remove widely perceived land-based barriers to the sustainable development of rural communities. The recommendations of the Group provided a framework for moving forward with changes to the land ownership pattern in Scotland and informed the consultation which pre-dated the 2003 Act<sup>7</sup>. In 2000, the SLF (2001-2006) was established. This was supported by the UK Lottery and administered by Highlands and Islands Enterprise (HIE) in partnership with Scottish Enterprise, through the Community Land Unit<sup>8</sup>, and provided financial resources to communities to support land purchase. Under the SLF, a total of £13.9 million was disbursed, 74% of which was in the HIE area.

In 2003 the Scottish Parliament passed the Land Reform (Scotland) Act, which is widely regarded as one of the most significant and progressive pieces of legislation passed by the Parliament since devolution in 1999<sup>9</sup>. It introduced statutory access rights over most land for 'everyone' (Part 1) and the 'community right to buy' (Part 2) and 'crofting community right to buy' (Part 3) eligible land, salmon fishings and mineral rights and other assets such as buildings. In practice, the Act granted rural communities the right of first refusal on the sale of estates, and granted crofting communities the right to buy their croftlands on a collective basis, even over the objections of landowners.

Following on from the SLF, the Growing Community Assets Fund (GCA1 2006-10), with a budget of £50 million administered by Big Lottery Fund Scotland under the Investing in Communities Programme, aimed to expand SLF and give communities more control and influence over their development through ownership of a variety of assets. This scheme's successor was launched as Growing Community Assets (GCA2) in 2010, giving individual grants from £10,000 to £1million per application<sup>10</sup>.

## Study Findings: responses from community land trusts

### 1. How much land is owned and managed by communities?

**The community land trusts that are members of Community Land Scotland<sup>11</sup> cover an area of half a million acres, or 200,000 hectares.** The community land buy-outs are primarily located in the North and West of Scotland. Those visited for this study were: Assynt Foundation, Bhaltois (Lewis), Borve and Annishadder Crofting Townships (Skye), Eigg Heritage Trust, Galson (Lewis), Gigha Heritage Trust, Knoydart Foundation, North Harris Trust, North West Mull Community Woodland Company Limited, Rum Community Trust, Storax Uibhist (South Uist), Stornoway Trust and West Harris Crofting Trust. The study also covered four members of Community Land Scotland who are in the process of seeking to purchase the land in their area: Aigas Community Forest, Barvas (Lewis), Mangersta (Lewis) and Pairc (Lewis). Figure 1 shows the timing of major community land purchases.



<sup>6</sup> Thomson, N. and Atterton, J. (2010), "Twenty-first century clientelism? State and community on the Isle of Rum", *Sociologia Ruralis* 50 (4), pp.352-359.

<sup>7</sup> Land Reform Policy Group (1999) *A Vision for the Future*, The Scottish Office: Edinburgh (January), available online: <http://www.scotland.gov.uk/library/documents-w4/lrpg-00.htm>.

<sup>8</sup> The Community Land Unit was established in June 1997 after the Eigg purchase and it aims to promote community-led land purchase or management initiatives, including joint management and other partnership arrangements with existing owners. The Unit helps communities to prepare for land purchase and provides technical assistance and some financial support, incorporating the exchange of best practice.

<sup>9</sup> Macleod, C. (2011) *Assessing the land reform process*, Article in the *West Highland Free Press*, Friday 11th March 2011. Available online at: <http://www.perth.ac.uk/specialistcentres/cms/people/Pages/CalumMacleod.aspx>.

<sup>10</sup> See: SQW Consulting (2009) *Evaluation of Growing Community Assets: First year baseline report*. Available online at: [http://www.biglotteryfund.org.uk/gca\\_yr1\\_030609.pdf](http://www.biglotteryfund.org.uk/gca_yr1_030609.pdf). These issues are also addressed in: SQW Consulting (2007) *The Scottish Land Fund Evaluation Final Report*. Available online at: [http://www.biglotteryfund.org.uk/er\\_eval\\_slf\\_final\\_report-2.pdf](http://www.biglotteryfund.org.uk/er_eval_slf_final_report-2.pdf).

<sup>11</sup> Community Land Scotland was set up in 2010 as an 'umbrella body' for the sector, providing a forum for sharing good practice and advice, and for amplifying the views of the sector to the Government and other stakeholders.

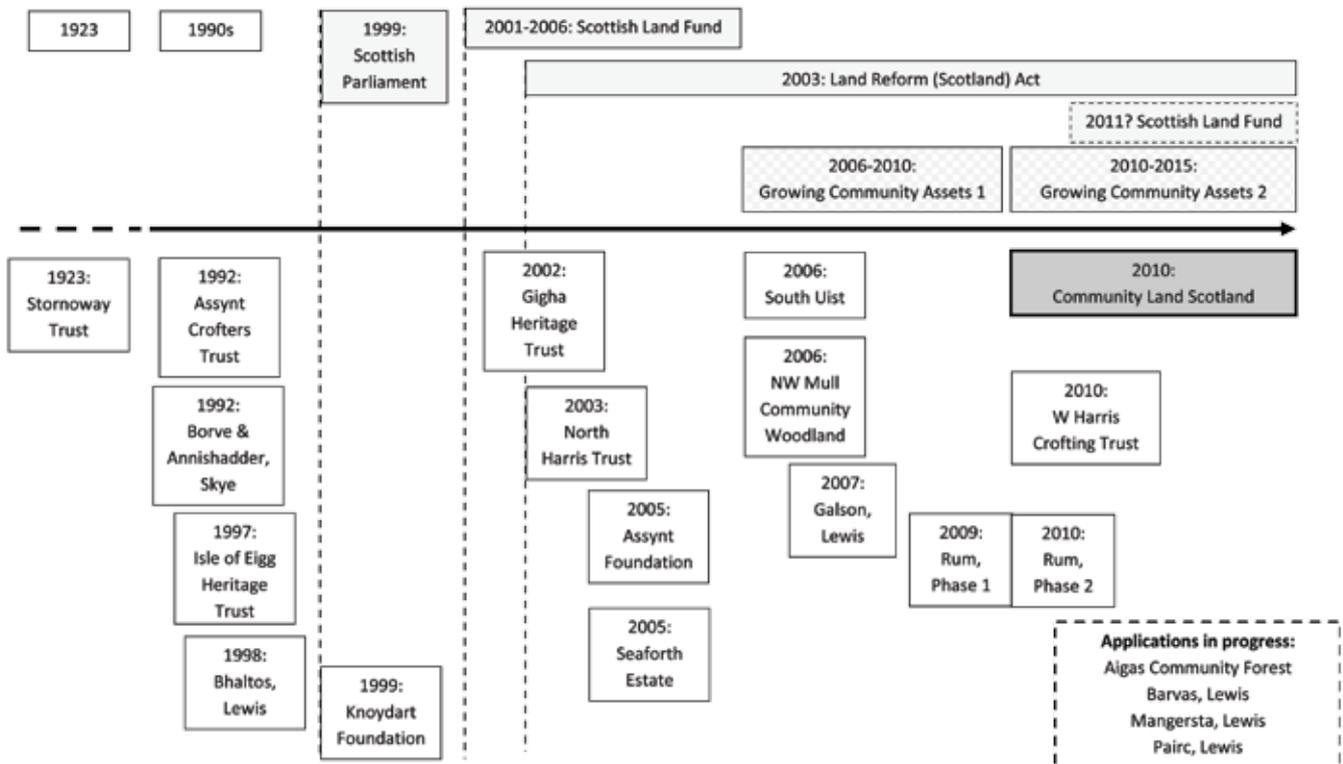


Figure 1: Timeline of community land purchases, significant policy events and funding streams.

## 2. Why have communities sought to buy the land they live on?

Communities identified what they feel are significant, concrete reasons for seeking to own the land that they live on. The main motivation is that **land is the foundation on which all other developments sit**. Community land trusts describe how, through owning the land, they directly facilitate: private enterprise development and investment due to security of tenure for businesses; identification of housing sites and developments of shared-equity affordable housing and housing for rent; and renewable energy schemes from wind, water, solar and tidal means. Through owning the land, they are in a position to nurture and create specific opportunities for economic development and financial capital generation, which in turn reverses the spiral of population decline and lack of inward investment.

This is articulated not only in terms of the present, but always in relation to **a responsibility towards future generations**, to 're-peopling' the landscape through newly-available housing and enterprise/entrepreneurship opportunities, attracting more families to the area and keeping remote rural schools open – all of which attracts further in-migration.

There is a **deep emotional attachment to the land** – its permanence, history, and the way in which it shapes mindsets and livelihoods. There is evidence of communities, once they own the land where they live, being more confident, deliberately taking decisions about their future, and being proactive and future-focused.

For those trusts who see differences and changes in their communities due to ownership, they describe how **owning land, and successfully managing it, leads to greater leverage and collateral**. Over time, they gain credibility through evident and consistent commitment to delivering services, infrastructure and support in and with the community. This can lead to them delivering services through formal and informal partnership arrangements with statutory agencies, thus generating revenue streams to re-invest in the community.

Land ownership is also experienced as **giving control over the future**, over uncertainty, and over potential investments and plans that may take 10-15 years to come to fruition, rather than being limited only to short-term cycles of project spend. There is the knowledge that land is permanence. That land is never a liability, but always an asset.

Ownership of land by the community is experienced as **the catalyst for collective action, stewardship, and creative, forward-looking development**. The breadth of that development, and the possibility for unexpected opportunities to emerge over time, are perceived as essential elements of the scope that land ownership can, and does, bring to communities.

### 3. Who are the community land trusts and what are the challenges they face?



#### Who are the community land trusts?

The community land trusts visited in this study are largely made up of volunteers who together contribute thousands of hours to sustaining the forward momentum of the organisation and its activities. A small number of the trusts have a paid development officer, either through an initial grant, or attached to a specific project such as estate management, renewables, or housing.



Some trusts have taken the decision to form Boards which formally incorporate external partners, in order to enhance the skills-base and capacity available at local level. Other Boards are entirely drawn from within the community. Membership of trusts is usually determined by local postcode area, although some trusts have flexibility and allow for wider membership, and/or have other means of representation through, for example, residents' associations.

The majority of Boards have strong external connections, through their Board members' own networks, and through working in formal partnership arrangements with other bodies including Highlands and Islands Enterprise, local councils, conservation bodies and other public, private and third sector stakeholders. These external networks are highly-valued and are instrumental in the sustainability of many trusts and their activities.

They are navigable and trusted channels to information, influence, resources, peer support, and helpful outside perspectives and experience which can greatly enhance the running of the trusts.

#### What are the challenges?

Challenges vary according to two main factors: the stage in the land-purchase cycle and the size of the community. Figure 2 shows the skills and attributes reported by the community land trusts as being required at different stages of the land-purchase process.

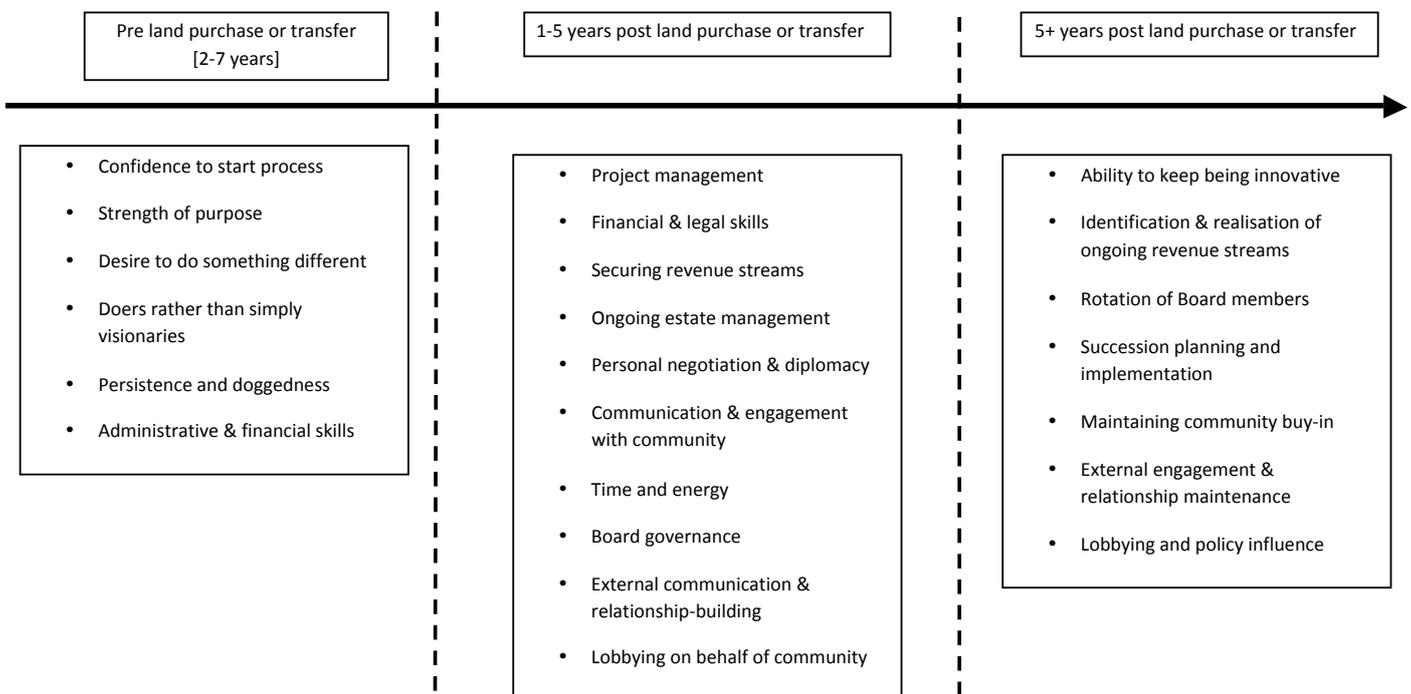


Figure 2: Stages of community land purchase and development, and associated skills and capacities required.

**The preparations for land purchase** can take from two to seven years. There is a need for confidence, persistence, determination and strength of purpose, as well as practical skills in administration and finance for applications to funders. An important variable is the type of situation that led to the purchase: either the opportunity arose and the community responded, or an opportunity was created by the community. This can affect the starting-point for the community group or trust – how prepared and capable they might feel at the outset. Not all communities feel that they

are able to maintain their strength and resilience through this process, particularly if the pre-purchase part has taken many years with much voluntary input, with some committees meeting on a weekly basis over that period. Those communities that established development trusts that pre-date land purchase emphasise the importance of this collective history in enhancing their confidence, and the knowledge that projects and investments take time, sometimes 10-15 years, to reach fruition.



Most trusts then experience what many describe as a **“honeymoon period”** which can last from one to five years, when revenue associated with initial purchase funding still exists, and the excitement from securing the land still fuels community commitment. In this period, in addition to ongoing financial and project management skills, and identifying revenue streams, the Board is usually assembled. Processes vary for Board member selection: some establish geographical representation across the estate area, others are selected according to required skill-sets related to projects or priority investment areas. Board members can also be co-opted for specific skills or projects. The development manager and/or Trust Board are also required to invest substantial time and energy in communicating with the community, and often act as bridges between groups in the community, in order to maintain momentum, and generate a sense of “we” rather than “them” and “us”. They also have to implement sound and transparent governance. This is also the time when new projects get off the ground, and the visibility of these projects is important to show the wider community that something is being achieved. Revenue-generation from these initial projects is also viewed as a priority for ongoing stability and sustainability. Some trusts set up sub-groups headed by individual Board members to manage and share the workload, with final decisions being taken by the Board. As responsibilities expand, so do the challenges for keeping an eye on the bigger picture, and not becoming overwhelmed by process and operational decisions.

**Beyond the five years of ownership** presents specific challenges, including the need to keep being innovative in order to secure ongoing revenue and/or capital investment. A priority is maintaining interest from within the wider community, since, in the earlier stages, cohesion can be created, enhanced or maintained around the focus of land purchase; the challenge is to maintain that cohesion as projects and ideas develop, as individuals take forward ideas, and indeed as some projects or ideas stall or cannot be delivered for a range of reasons. At this time, there is greater focus on Board re-recruitment to ensure rotation, and succession planning to ensure that new ideas and perspectives are incorporated in a way that prioritises the trust’s ongoing work. This in turn leads to training requirements for new Board members and chair in relation to: legal and financial competence; having the confidence to take decisions that may affect neighbours; and chairing peers, former chairs and neighbours. As well as focusing inwards on maintaining community momentum, the Board and/or project officer also need to maintain and enhance their external (beyond-community) relationships, and increase their lobbying and policy influence – in order to strengthen the potential for sustainability of the trust and its activities.

It is not necessarily possible to plan strategically to ensure that the range of skills required to sustain the development of a community land trust is available throughout the 15+ year process. Out of necessity this is instead sometimes ad-hoc, depending on who is in the community, or who can be brought in from outwith the immediate locale. This is particularly (but not only) the case in smaller communities. Communities themselves vary in size from the smallest population of 23, up to a population of 11,000. This means that the pool of people from whom the trusts can draw over time varies substantially. It also means, in smaller communities, that the practice of Board rotation (where a Board member has a fixed term of either 2 or 3 years) can be a significant challenge, particularly as people are often already on multiple committees in their community.



Finally, and perhaps most significantly, it has been reported through the data collection process that **although every community has the capability to carry through land purchase and subsequent development of assets, not every community has the resources or capacity within their community**. Communities are capable of seeing what needs to be done, assessing their own skills- and experience-base, and identifying how then to assemble appropriate people and skills – some of which may lie outwith the community, particularly in smaller, remoter areas. This, again, underlines the importance of external connections which complement the considerable range of strengths, experience and skills of those within the communities.



#### 4. How have community land trusts addressed the challenges?

The interviewed community land trusts have, in a variety of ways, sought to ensure engagement with their communities, community involvement on the Board, spread of workload, employment of staff rather than total reliance on volunteers, and generation of revenue streams early on to allow for further investment. These approaches, taken during the stages outlined above (see Figure 2), are now briefly described.

**Communication with the wider community** is considered an essential investment of Board’s time and financial resources by the majority of trusts. Many hold periodic public meetings, and where there are specific developments to be discussed, then exhibitions and meetings are organised for community members to comment and give feedback. Newsletters – both paper and electronic copies – are produced and distributed several times per year, AGMs are held

and are open to members, websites are used in many cases to publicise Board meeting minutes, and community newspapers carry updates and stories. Some trusts are more consistently successful in prioritising communication than others. It is recognised as taking a lot of time, but is felt to be essential in addressing rumours, keeping people informed, hearing concerns, and enhancing cohesion. If this is not done, then apathy and mistrust are reported to develop. Thus, prioritising extensive and repeated two-way communication is seen by the majority as being one of the foundations of sustainable community development.



Involvement is also encouraged through **representation on the Board**. This can be a daunting prospect for some, as outlined, plus in smaller communities succession and rejuvenation of the Board can be a particular challenge. Steps taken to encourage confidence include starting people on sub-committees (for example, for renewables, land management, housing) and then over time, encouraging membership of the main Board. Another approach taken by one trust comprises an individual shadowing a Board member for 12 months, receiving informal 'on-the-job' mentoring and training, and then aiming to join the Board at the end of that period. A key approach to ensure participation, particularly in larger trust areas, is geographical representation from villages

or townships across the estate, so that these people can feed back to the rest of the Board on local issues, concerns and opportunities within their more local areas, plus they are points of contact for local residents. In some areas, Board meetings are open to all members.

To enhance Board members' experience, and thus indirectly encourage new blood onto the Board, many trusts take **concrete steps to spread the workload**. Tasks are delegated within the Board, according to, for example, renewables, new buildings and estate business. Sub-groups are formed, for which the Board members are each responsible, and they report back to the Board. A high level of trust between members is reported as being essential to underpin this approach, such that the delegation works in practice. In addition, people's roles and responsibilities are made clear, as is clarity over where interim and final decision-making take place. Less formal arrangements for spreading the work also take place, simply through Board members volunteering to take on specific tasks that need doing; this is because there is great awareness of the potential for burnout, particularly knowing that these processes are going to be taking place over many years. In the majority of trusts, consistent emphasis is placed on establishing and maintaining a professional approach to decision-making, and ensuring traceability and openness; as with community engagement, some trusts have achieved more than others in this regard, but it is nonetheless seen as an essential component of ongoing buy-in and effectiveness. Finally, some Boards seek and acquire outside resolution and advice if required, from off-island Board members and/or external experts.



A further means by which capacity is addressed is through the **employment of paid staff rather than a sole reliance on volunteers**. This again relates to Boards' awareness of potential for burnout and overwork, particularly for those who already have full time jobs. Some trusts have secured funds for an employed project/development officer as part of the purchase; others have sought funds over a period of years, before being able to secure sufficient funds to employ staff. However, in both situations, paid staff in post is a goal for the trusts, since full-time input is required to service both the estate/land management demands as well as enhancing the developments and ongoing acquisition of funds. Those who have employed staff emphasise the absolute importance of employing the right people who understand the values and goals of the trust, have confidence to work in partnership, and who are willing to engage, listen as well as be creative.

To support a project/development officer, and to fund developments such as affordable housing and infrastructure (roads, water, electricity and sewage in some trust areas), revenue streams are essential. Many trusts therefore have prioritised, fairly early in the community land ownership life-cycle, the identification and establishment of revenue generators, such as wind turbines, water turbines, recycling, sale of house plots for private housing, rental from affordable new-builds, rentals from office/business leases, tourism offerings such as golf, tours, cafes, merchandise (t-shirts, baseball caps) and accommodation (campsite, bunk and B&B). Many trusts establish a trading 'arm' which is a wholly-owned subsidiary of the charitable trust, which ploughs any profits back into the parent charity. These revenue sources are seen as integral, not peripheral, since there is a desire in the majority of community land trusts to be sustainable and independent, reliant on development of their own assets rather than on ongoing grants. This is felt to be at the heart of community land ownership. Coupled with this, however, and seen as equally important in many trusts, are: firstly, working in partnership where appropriate with other providers and stakeholders; and secondly, lobbying on behalf of the community for appropriate national and/or regional infrastructural investment, such as in harbours, ferries and broadband. Thus, the community land trusts wish to enhance their own financial capital, thereby encouraging inward investment to complement local efforts and actions. The land trusts do all this at differing paces, some prioritising financial sustainability immediately from the outset, others creating a combination of community-led investments in housing and small-scale regeneration. However, the overall goal is the same: self-sustainability as a result of community land and asset ownership and development.

## 5. What would help community land trusts to continue carrying out development in and with their communities?

Overall, trusts reported a sense that, in political messages at both UK and Scotland level, **greater expectations are being placed on communities to deliver for themselves in their localities**. Coupled with this, however, is a decrease in the amount and type of support experienced by community land trusts, whereby it has been reduced primarily to information rather than a more facilitative approach from project officers. Although a number of communities have established development trusts that pre-date the land purchase, **the scale of responsibility and investment for community land ownership is felt to be significant, sometimes many millions of pounds, and for some communities enhanced support would thus be welcomed**, for example in the areas of: local-level governance approaches and processes, board and sub-boards responsibilities, and charity law. Some communities highlighted the significant support they have received from agencies in their early stages through the Scottish Land Fund, such as Highlands and Islands Enterprise Community Land Unit. They state that knowledge about how things are done differently in various trusts is immensely helpful in spurring ideas and seeing in practical ways how others have achieved their goals. This guidance, knowledge and input is felt to be particularly important given that many who commit their time to their community land trust do so on a voluntary basis, and thus signposting, exchange and specific training would enhance effectiveness. In addition, due to the remoteness of many of the trust locations, training in situ was highlighted as being particularly necessary, since, for a half-day's training in a mainland city of Glasgow, Inverness, or Edinburgh, a trip of up to two days is required and this absence is not possible or affordable for many who have local jobs.



In spite of challenges of support, all community land trusts nonetheless pointed to **the importance of a more localised approach to development**, since any challenges are outweighed by many benefits. The impetus for, and outcome of, community land purchase is felt to be local people with local knowledge taking local decisions on local matters. Instead of economic development being done to communities, communities are taking such development decisions themselves which they feel 'fit' and enhance local conditions and opportunities. They report that they are no longer dependent on others' decisions, able only to be reactive. Instead, communities are able to be proactive, and have control over the present and the future. This is felt to be more sustainable due to delegation to local communities. Thus, greater strategic and policy recognition of the importance and benefits of localism, as evidenced through the achievements of community land trusts, is identified by trusts as a key way to enhance appropriate development at local level.

The importance of **strategic, long-term** recognition is further emphasised by communities, because of the timeframe in which they are operating as landlords. They are **making decisions within at least a 50-year time horizon**, rather than within political voting and election cycles of five years or less. They are taking investment decisions which may take 10-15 years to come to fruition and generate the target outcomes.

In addition to strategic direction, community land trusts gave examples of **detailed aspects that would enhance further development**. Firstly, trusts identified tax-raising powers through the Council Tax as an appropriate step forward, since a number of trusts are delivering services previously delivered by the local Council. Similarly, it is suggested that communities could receive some of the rateable value of (domestic) property, given that they are providing some of those properties' services. Both of these aspects were felt to have the potential to strengthen community land ownership substantially. Secondly, although community land trusts are delivering services, there is an inconsistent approach by local government as to remuneration for services delivered. As well as creating a reliable revenue stream, trusts feel that partnership arrangements (for example, through Service Level Agreements) will be both efficient and remove duplication – two considerations felt to be critical as public sector resources decline. Such partnership approaches are also seen as important in enhancing links between Community Planning and community land trusts, which in many locations are currently felt to be disjointed.



Finally, community land trusts identified **the importance of Community Land Scotland as an organisation to lobby on their behalf**. Although a number of trusts are themselves lobbying and engaging with their local players in different sectors, there was considerable emphasis placed on a voice for the collective, which can engage at strategic, national level with Government (both elected and civil servants), and with significant other non-governmental organisations, development agencies, public sector bodies such as local authorities and COSLA, and other private and third sector bodies at high level. A coherent and persistent approach to this was felt to be outwith the scope of a number of the local trusts, and there was felt to be great value in having a single body representing a collective of community land owners.

## 6. What are the main policy messages for the new Government, as put forward by the community land trusts?

Policy messages from community land trusts fall into four main themes: (i) reinstatement of the Scottish Land Fund; (ii) specific legislative improvements; (iii) recognition of trusts' activities by wider stakeholders; and (iv) processes of community accountability. Their messages are now presented.

**There is consensus from all community land trusts that the Scottish Land Fund (SLF) must be reinstated.** This is because the Land Reform (Scotland) Act 2003 creates the *right* to buy; however, it is the SLF that creates the *financial means* to buy. Specific components of SLF were identified as requiring attention:

- SLF needs to be of a scale that allows for meaningful investments at local level, and be underpinned by a consistent commitment to its deployment during this Parliament's lifetime.
- Bureaucratic requirements should be proportional to the size of the trust area being purchased, particularly in terms of mapping requirements; this will take account of the capacity challenges for many (particularly smaller) communities and allow for more effective deployment of people's resources locally. Related to this is to establish a workable application window; short timeframes put excessive pressure on applicants, particularly over summer months when many of the volunteer committee members are involved in tourism or other outside work.
- Some trusts call for a revision to the requirement for (repeated) local balloting for opinion, since this raises expectations from the community towards the Board for fast action and delivery, otherwise risking a drop in impetus. Community consultation is well understood as a core element, but there is a call for more thought as to the implications of repeated balloting, particularly as it uses financial and people's resources.
- Changes should be made to the requirements for governance structures to be solely locally-sourced. Evidence from this study highlights the reported benefits brought by external Board members, chairs, and members, in terms of strategic direction and connections. Such appointments allow for the grafting-on of capacity from individuals outwith the community location.
- SLF should re-establish the commitment to after-care officers following purchase; that is, the full SLF package that provided revenue support post-acquisition for the appointment of a project or development officer. This is necessary, because normal estate business has to continue post-acquisition, as well as seeking to identify and develop new revenue streams for sustainability.
- Many community land ownership Boards see it as entirely appropriate for training in governance – where necessary – to be made available to trusts. This relates particularly to Board rotation, where existing Board members may not feel able to teach others in their community who are their neighbours; and where chairing of peers, neighbours and previous chairs can be challenging.
- Trusts state that there should be better signposting of agencies, funding and expertise, with guidance on how they can be accessed most effectively and efficiently.
- There should be encouragement of community land purchase in more accessible parts of rural Scotland, many of which also face challenges of 'remoteness' from services, information, networks and resources.

The second major theme focuses on **specific legislative improvements identified by trusts**. With the exception of the first point, these have each been identified by individual trusts rather than representing a consensus (or majority) view across all those interviewed. As such, they represent specific aspects that trusts feel need to be addressed, in order for the diverse range of communities to be able to develop their areas most effectively.

- Transfer of public assets' legislation requires revision in order to, for example, facilitate transfer of public forestry to communities, and other similar public assets, at below market value.
- Absentee crofting legislation needs to recognise the situation of one person's absentee wishes significantly holding back a majority of local residents. This has led to many years' delay in the wish of the majority being realised.
- When considering housing legislation to support the build of affordable rented houses – a key re-population approach as outlined above - there needs to be a capital element for any grants, because the trust's loan repayments for the houses are not covered by the affordable rent received from the tenants.
- There should be a holiday homes tax which should be increased such that it is a disincentive, with some of this council tax being paid to the community land trust for investment in affordable housing in the area where holiday houses have been approved.



- Equal Opportunities rules can sometimes work against local appointment of people to the Trust Board or as development officer, since rules mean that trusts cannot necessarily appoint locally, even if they have been training a local person for some months. This can disincentivise local involvement and hamper succession planning.
- Charity Law is perceived to have tightened significantly, and costs for communities are reportedly substantial. Auditing, for example, can cost some community trusts several thousand pounds per annum, and grant funders do not necessarily provide funds for auditing. There are also limits on how much a subsidiary company can trade before transgressing charity laws, and these aspects are complex, requiring retraining for newly-appointed Board members on a regular basis.
- On specific financial aspects, some trusts seek clarity on why they have to charge commercial interest rates on loans to people or businesses in the community.
- There is a call for an end to competitive tendering for some projects (e.g. affordable (rented) housing). Tendering costs the community several thousand pounds and days of volunteer time to put together – time and funds they feel they can often ill-afford to put into something that has no guaranteed outcome.
- A need for greater programme consistency is highlighted as essential, two specific examples being of relevance here. Firstly, with the former Rural Homes for Rent scheme, it should be made clear that applicants must either arrange up-front borrowing, or are eligible for Progress Payments through the project period. Currently, both are possible and consistency of rules across cases is not apparent. Up-front borrowing is sometimes not possible for some community trusts, whereas progress payments would allow some developments to go ahead. Secondly, there is a mismatch between short-term policy decisions, funds, grants and programmes, and the long-term nature of community land ownership planning, development and investments. Trusts identify a need for some longer-term policies that give consistent messages to allow communities to plan strategically, knowing the policy and funding landscapes for several years ahead.

The third major theme that was articulated by many community land trusts is **a requirement for recognition that community land trusts do deliver**. There is evidence of: businesses created due to investment of public moneys; services being delivered that were formerly implemented by local authorities; additional spin-offs from investment including jobs, housing, green energy, recycling etc, that come from the initial investment; re-investment of government money in revenue-generating projects, which save government money in medium and longer terms. Community land trusts would welcome systematic visits from Edinburgh to communities to see evidence on the ground.

The fourth theme focuses on **processes of community accountability** which were stated as needing to be modified in three main ways. Firstly, through a consistent recognition of the timescale required for delivery of some projects, which may be over many years. Secondly, an improvement in monitoring rules so that they fit the realities of delivering projects on the ground. Although the requirement for auditing is fully recognised, trusts emphasise the need to reduce the 'extensive audit paper-trail', and develop a combination system whereby a project officer also visits to see the delivery on the ground. Trusts state that there are different ways of achieving the same project outcomes, so some recognition of this is required. Thirdly, some trusts would value a revisiting of definitions of sustainable communities, so that they not only focus on, for example, number of tourism projects and monies spent, but also on wellbeing, retention of young people, amount of community cohesion, level of volunteering etc.



## Conclusions: links between community land ownership and community resilience

This research set out to examine what links there might be between community ownership of land and development of its assets, and communities' resilience<sup>12</sup>.

The evidence presented here suggest that the early stages of community land purchase require a degree of local resilience, strength and determination, and that external connections are vital in enhancing resilience, irrespective of size of community. As a community continues its land ownership journey, however, it would appear that resilience is then enhanced, both in a material sense (economic investment and re-investment, re-population) and in terms of confidence, morale, experience and expertise in local development and management by and for the local community. To maximise their resilience, communities still need training and guidance in specific aspects of governance. These processes take place over many years. Some trusts have been established for 15-20 years, with the oldest, The Stornoway Trust, approaching its 90th birthday. Community land ownership is not a quick fix. It is a long-term plan, and is an investment in livelihoods that will shape Scotland's communities and their sustainability for many decades to come.

Overall, from this research it is evident that: resilience can be built, and is not only a characteristic of a few communities; resilience is multi-scale – built through a combination of individual, group, community and external connections; resilience is achieved through deliberate actions or processes, as well as through unplanned decisions or events; and communities believe localism is appropriate with associated support and training mechanisms.

The Scottish Government is committed to establishing resilient communities:

"We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others" (Outcome 11, National Performance Framework<sup>13</sup>).

Evidence from the research shows that community land trusts are delivering that brief.

Finally, the potential reform of the 2003 Land Reform (Scotland) Act, and potential reinstatement of the Scottish Land Fund<sup>14</sup>, both have great significance for rural communities' development. This is because, evidently, the Scottish Land Fund and 2003 Land Reform (Scotland) Act are not simply funding and legislation relevant only to land purchase and management. Rather, they are linked with the ongoing strength and resilience of Scotland's wider rural communities.



<sup>12</sup> See Footnote (3) for definition.

<sup>13</sup> <http://www.scotland.gov.uk/About/scotPerforms/outcomes>

<sup>14</sup> SNP Manifesto, p.39: <http://manifesto.votesnp.com/>