

PAIRC TRUST NEWS RELEASE

PAIRC COMMUNITY TAKE OWNERSHIP OF THEIR ESTATE AFTER 13 YEARS

Pairc Trust, the community body in South-East Lewis, who have been trying to buy the local Pairc Estate on behalf of the community of some 400 crofters and residents since 2003, have finally completed the purchase and take ownership today.

The Estate extends to over 28,000 acres, with 11 crofting townships and an extensive coastline. The purchase price of £500,000 includes the foreshore and an interposed lease entered into by the previous owner, Mr Barry Lomas of Leamington Spa.

The purchase has finally been made on the basis of a voluntary transfer by the landlord, after a long history involving several ballots and applications by Pairc Trust to the Scottish Government under Part 3 of the Land Reform (Scotland) Act 2003. A summary of the main developments since 2003 is attached.

The terms of the sale were agreed by the community in a postal ballot counted on 1st May 2014. Since then, there has been a protracted process involving lawyers representing the two parties to finalise the necessary legal documents. This has involved, amongst other complex issues, the detailed mapping of the Estate, confirmation of ownership of the foreshore, clarification on the payment of VAT, and a determination by the Interim Auditor of the Sheriff Court of Grampian, Highlands and Islands of the seller's reasonable and necessary professional costs.

A funding package for the capital costs has been finalised in the last week with external support from Scottish Land Fund, Comhairle nan Eilean Siar, and the local Muaitheabhal Community Wind Farm Trust, in addition to almost £300,000 raised by the Pairc Trust themselves. Revenue funding is being provided by Scottish Land Fund and Highlands and Islands Enterprise.

Angus McDowall, Chairman of Pairc Trust, said:

'We are delighted finally to complete the community buyout today. This is the culmination of some 13 years struggle to buy the Estate on behalf of the community, and I should like to thank everyone who has played a part over the years in eventually achieving the community's goal. This includes all members and Directors of Pairc Trust, past and present, and particularly everyone within the community who has contributed to the substantial funds raised to purchase the Estate; and to all our external funders and supporters.'

We plan that an AGM of the Pairc Trust should be held early in the New Year, at which we hope that new Directors will be elected to take the Trust forward for the important tasks which now lie ahead. We particularly want to strengthen links with other key community organisations in Pairc, and to attract more female and younger Directors. It is planned that job adverts for two new members of staff will be placed as soon as possible. Consideration will also be given to a celebratory event in the New Year.'

Pairc Trust, Friday 4th December 2015

SEE BELOW FOR OTHER QUOTES AND NOTES FOR EDITORS

OTHER QUOTES

Dr Aileen McLeod MSP, Minister for Environment, Climate Change and Land Reform in the Scottish Government, commented: *'Pairc Trust has successfully purchased the local Pairc Estate, which is a testament to the hard work of the Trust in bringing this long running aspiration to a successful conclusion. I wish Pairc Trust well as they start to begin the process of realising their aspirations by taking forward various projects for the benefit of the community.'*

Rachael McCormack, Director, Highlands and Islands Enterprise, said: *'Today is a milestone for community land ownership in Scotland and marks the culmination of an extraordinary effort by the people of Pairc. The land, together with the talent and commitment of local people, will enable the community to determine their own future, and we congratulate them on this hard-won success. The path to community ownership requires vision, resolve and sustained effort - none more so than in Pairc. HIE has actively supported the work of the Pairc Trust for many years and we look forward to continuing to working with them as they turn their efforts to managing and developing the estate for the benefit of present and future generations.'*

Cllr Alasdair Macleod, Chair of Comhairle nan Eilean Siar's Sustainable Development Committee, commented: *'On behalf of the Comhairle, I'm delighted that the purchase of the Pairc Estate has finally been concluded. It has been a long journey and the Comhairle has played a major role in continuing to support the community over this period. But this is a new beginning and we now have to work together with the community to enable them to realise their aspirations and ambitions for the area.'*

Iain M Maciver, Chairman of Muaitheabhal Community Wind Farm Trust, said: *'After a long and difficult journey Pairc Trust has finally achieved its goal. Looking forward, yet another small but now empowered community has been given the opportunity to show the world what community ownership can achieve. I wish Pairc Trust every success on that journey.'*

Lorne Macleod, Chair of Community Land Scotland, said, *'We are absolutely delighted to see Pairc Trust become Scotland's latest community land owner. They have had a mighty struggle to get to this point, and the grit and determination of all involved has been simply amazing to witness. Their struggle has also been instrumental in helping shape the changing community right to buy within Scots law, it is for example why Scottish Ministers will have powers to facilitate mediation between owners and communities, to seek to allow mediation early and avoid the inordinate time it has taken the Pairc Trust to come to this final resolution. We look forward to the community in Pairc now moving forward from strength to strength and in greater control of their destiny than ever before.'*

Dr Alasdair Allan MSP for the Western Isles, commented: *'The bid by the community in Pairc to buy their estate must be one of the longest running ever land buy out projects in Scotland. But today 13 years of effort have paid off and the land is finally in the hands of the community. Throughout this period it's been a privilege to work with the group behind this buyout. I would like to pay tribute to everyone who has brought about this reality and look forward to hearing about the plans they have for the future.'*

NOTES FOR EDITORS

1. Please see previous news releases by Pairc Trust for details of the long history of the community buyout.

2. The main milestones since 2003 have been:

- * 2003 - Pairc Trust established to pursue a community buyout.
- * 2004 – 1st ballot confirms community support.
- * 2005 – Application submitted to Scottish Government for part of the Estate, but legality of an interposed lease set up by the landlord referred to the Land Court.
- * 2007 – Land Court find that the interposed lease is legal and Land Reform Act amended to give communities the right to purchase such leases.
- * 2007 – 2009 – Landlord agrees to discussions about a voluntary transfer, but eventually Pairc Trust conclude that the landlord is delaying in the hope that his commercial wind-farm project is approved and the value of the Estate greatly increased.
- * 2009 – 2nd ballot approves community support for updated Part 3 applications to purchase both land and interposed lease.
- * 2010 – Applications for purchase of the land and interposed lease under Part 3 of the Land Reform Act submitted to Scottish Government, taking account of changes in legislation.
- * 2011 – Following lengthy consultations, Scottish Government formally turn down the now outdated 2005 application and approve the updated 2010 Part 3 applications. However, the landlord appeals against the Scottish Government’s decision and the valuation process is stopped. Landlord’s appeal heard in Stornoway Sheriff Court and referred to Inner House of Court of Session.
- * 2012 – Court of Session rejects first part of landlord’s appeal against Scottish Government on human rights grounds.
- * 2013 – Discussions resume on a voluntary transfer of the whole Estate. Non-binding Heads of Terms are agreed and endorsed by the community, and a fund-raising campaign is launched.
- * 2014 – 3rd community ballot approves draft offer to purchase the land and lease based on the Heads of Terms, the fund-raising campaign continues, and a detailed, expensive, and time-consuming mapping exercise is carried out to meet Register of Scotland requirements.
- * 2015 – Following extensive legal negotiations, missives are exchanged for the whole Estate and interposed lease. Date of Entry depends on settlement of the landlord’s reasonable legal expenses, which are referred to the Interim Auditor who makes his determination on 5th November. Funding package finalised on 30th November, and title to Estate formally taken by Pairc Trust on Friday 4th December 2015).

3. For further information, please contact Angus McDowall on 07917 468148.