

Analysis of responses to the Consultation on Review of Scottish Government's suite of Good Practice Principles for Renewable Energy Developments

April 2019



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Acknowledgments

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Executive Summary

Introduction

The Scottish Government gave a commitment within our Scottish Energy Strategy (published December 2017), to review our suite of Good Practice Principles for Renewable Energy Developments during 2018.

The review encompassed all three Scottish Government Good Practice Principles:

- Community Benefits from Onshore Renewable Energy Developments
- Shared Ownership of Onshore Renewable Energy Developments
- Community Benefits from Offshore Renewable Energy Developments

A public consultation, shaped by an external steering group (chaired by the Scottish Government and comprised of representatives from industry, communities and other relevant bodies) and a series of external stakeholder workshops, ran from 30 November 2018 to 31 January 2019 to seek views on a range of issues.

The aim of the consultation process is ensure that communities continue to benefit from renewable projects in a manner that is appropriate for the current and future context in which projects are developed.

The starting position was not wholesale change, as much of the documents remain relevant and valid, but to enhance and amend some aspects to reflect lessons learned, and align with current and future investment conditions.

Responses to the consultation will be used to inform the final version of the guidance.

Respondent Profile

There were 47 responses to the consultation: 40 from organisations and 7 from individuals. Respondents were assigned to respondent groupings in order to enable analysis of any differences or commonalities across or within the various different types of organisations and individuals that responded.

A list of all those organisations that submitted a response to the consultation and agreed to have their response published is included in Appendix 1. The following table shows the numbers of responses in each analysis group.

The onshore wind category is predominately wind farm developers and generators – and this group accounted for the majority of the responses received.

47 organisations and individuals from the following respondent sub-groups submitted a response to the consultation:

Respondent Groups

Respondent Groups	
	Number
Community groups	5
Local Authorities and other public sector	6
Trade bodies and interest groups	7
Renewables industry	18
Others	4
Total organisations	40
Individuals	7
Total respondents	47

Methodology

Consultation respondents had the opportunity to submit responses via:

- Citizen Space (the Scottish Government consultation platform)
- Email
- Hard copy

The majority of the consultation questions contained closed, tick-boxes with options for 'Yes', 'No', or other, pre-defined answers. However, a small number also included free text boxes to encourage respondents to provide their own feedback.

This report summarises the key findings from the feedback received, including:

- The total number of responses received for a particular question, as well as a percentage of this as a total
- A breakdown of how respondents answered
- The number of comments made against each question, and a summary of any trends/ patterns identified within these comments

As noted above, some respondents did not use the online portal and presented their views in a report or letter format instead. Where respondents did not respond using the online portal, but mentioned clearly within their response that they agreed/ disagreed with a point, these have been account for within the '**Main Findings**' graphs.

The Scottish Government has considered all additional comments made by respondents to each question, and this document has attempted to identify and highlight any similarities or differences between respondent groups to determine whether any specific area or theme was of particular interest to certain groups. However, it is important to note that there may be variations of opinion within groups and some respondents may have chosen not to comment on certain question(s).

While the consultation gave all who wished to comment an opportunity to do so, given the self-selecting nature of this type of exercise, any figures quoted here cannot be extrapolated to a wider population outwith the respondent sample.

Main Findings

Scottish Government Good Practice Principles for Community Benefits from Onshore Renewable Energy Developments

1.1 Do you consider that the revised Good Practice Principles (GPPs) will ensure that communities continue to benefit from renewable projects in a manner that is appropriate for the current and future context in which projects are developed?

Key figures

- 41 responses (87.2%) were received for this question
- 33 comments obtained from respondents

	Yes	No	Don't Know	Not Answered
Community groups (5)	2	1	1	1
Local Authorities and other public sector (6)	4	2	-	-
Trade bodies and interest groups (7)	1	5	-	1
Renewables industry (18)	9	4	2	3
Others (4)	-	1	2	1
Individuals (7)	4	2	1	-
Total	20	15	6	6

Summary

As the table above shows, almost half (48.7%) of respondents agreed with the question.

While many of the respondents stated that they agreed with, and generally supported, the GPPs - and considered them to be a useful tool - a number of concerns were raised regarding how community benefits continue to remain voluntary.

A sizeable minority of respondents (36.6%) did not agree.

One of the main concerns raised (which is a common theme throughout this document) was that the £5,000 per MW figure was considered to be unsustainable by some respondents (particularly those representing the renewables industry).

There was also debate around the word “ensure”. A number of respondents felt this could not be applied to voluntary principles and, ultimately, the responsibility will fall to communities, developers, and advisors to make sure communities continue to benefit.

Finally, those who selected “*Don’t Know*” made very similar points to those made above.

1.2 The revised GPPs promotes a more flexible and evidence based approach to discussions about community benefit, with the focus on creating a lasting legacy. Do you agree with this approach?

Key figures

- 41 responses (87.2%) were received for this question
- 33 comments obtained from respondents

	Yes	No	Don't Know	Not Answered
Community groups (5)	2	1	1	1
Local Authorities and other public sector (6)	6	-	-	-
Trade bodies and interest groups (7)	5	-	1	1
Renewables industry (18)	15	-	-	3
Others (4)	2	-	1	1
Individuals (7)	5	2	-	-
Total	35	3	3	6

Summary

The table above illustrates the overwhelming number of respondents (85%) agreed with the approach taken in the revised GPPs – including all respondents from the renewables industry (who provided an answer) and those replying on behalf of local authorities/ public bodies.

The responses received from the renewables industry indicated that direct monetary payments were not always the most appropriate form of community benefit provision. Therefore, the flexible approach should be more highly recommended as this would enable communities themselves to suggest the best means of guiding community investment, and that they may not wish to opt for a ring-fenced financial fund.

More guidance was requested on evidencing from respondents. There was a belief that this would not restrict flexibility but would, rather, create a shared understanding of expectations.

Also, local action plans were noted as a key element for providing communities with an evidenced-based set of priorities and provide transparency on the community side. However, some respondents felt that the guidance was not clear regarding how developers would provide transparency.

Additionally, the positive nature of the guidance was welcomed - in particular, where the community are encouraged to build positive relationships with renewable energy businesses.

2 of the 3 respondents who answered “No” provided comments. Again, these highlighted the fact that community benefits remain voluntary and raised concerns surrounding what legacy, if any, the renewable development will leave to the community.

Similar to the above, 2 comments were received from those who responded “Don’t Know”. These focused on (a) evaluating community benefits against the wider funding environment, and (b) suggestions to bolster some of the practical issues around community planning.

1.3 The revised GPPs will continue to promote community benefit of the value equivalent to £5,000 per MW, however at the same time recognising that some renewable energy businesses will seek to offer flexible packages of benefits for new developments. Do you agree with this approach?

Key figures

- 39 responses (82.9%) were received for this question
- 35 comments obtained from respondents

	Yes	No	Don't Know	Not Answered
Community groups (5)	-	3	-	2
Local Authorities and other public sector (6)	5	-	1	-
Trade bodies and interest groups (7)	-	4	2	1
Renewables industry (18)	3	10	1	4
Others (4)	1	-	2	1
Individuals (7)	3	2	2	-
Total	12	19	8	8

Summary

A considerable number of respondents were in disagreement with the approach outlined (48.7%).

There were differing views between the responses received from the renewables industry and those representing community groups: the renewables industry argued for the removal of the value per MW figure, whereas the latter believed that this should be the minimum figure offered by developers.

A number of comments were submitted by respondents who agreed with the approach, which are summarised below:

- The suggested value per MW figure should be the **minimum** value of the package on offer (similar to those community groups who answered “No”).
- Further clarity could be provided around the transition period being experienced by the renewables industry - specifically explaining the economic climate in which projects are being developed.
- The opportunity exists for developers to maximise the community benefit package without adding significant expenditure to a project, while still having a positive, local impact.

A suggestion was also raised that it would be beneficial if there was a method to independently evaluate the package offered by developers.

As indicated above, almost half of respondents selected “No” to the question asked. However, this, predominately, related to the £5,000 per MW figure – not the flexible package approach itself, which was (generally) welcomed.

Comments received includes concerns around how a flexible package would be valued/ assessed, how there may be scope for developers to deliver less for communities, and how the voluntary nature of the guidelines meant there are no requirements for delivery.

A mixture of respondents from various groups (20.5%) also selected “*Don’t Know*”, and a number of comments were submitted by those who chose this option. These included the belief that the £5,000 figure should be index-linked, as well as concerns around the clarity of wording used in the GPPs (specifically around the word “equivalent”).

1.4 The revised GPPs now includes guidance on developing a community action plan. Is there any additional details that you consider should be included?

Key figures

- 38 responses (80.9%) were received for this question
- 34 comments obtained from respondents

	Yes	No	Don't Know	Not Answered
Community groups (5)	2	1	-	2
Local Authorities and other public sector (6)	4	1	-	1
Trade bodies and interest groups (7)	5	-	1	1
Renewables industry (18)	14	-	-	4
Others (4)	2	-	1	1
Individuals (7)	2	4	1	-
Total	29	6	3	9

Summary

Over three-quarters (76.3%) of respondents selected “Yes” – welcoming the guidance on community action plans. This included the majority of those representing trade bodies/ interest groups (71.4%) and the renewables industry (77.8%).

However, most respondents who agreed also provided further comments for consideration.

For example, there were differing views between the renewable industry and other respondent groups regarding who will fund community actions plans, and also whether or not the responsibility should lie with developers to establish such plans – or if this should be the role of, for example, local authorities or similar bodies.

This was supported by further comments which highlighted the importance of any action planning being community-led.

A request was also made for further guidance to be provided for developers in instances where projects spanned across areas which encompassed multiple community action plans.

There was general support across respondents that, ideally, everything concerning community benefit packages would be open to regular review (i.e. the agreement itself, the community action plan, the area of benefit, and how this will be delivered). It was, however, recognised that, in practice, this unlikely to be achievable.

Finally, those who responded “*Don’t Know*” (7.9%) welcomed the inclusion of guidance on developing a community action plan and the statement on the relationship of community benefit funds to decision-making in the planning system.

It was also noted that the forthcoming Planning Bill makes a provision for Local Place Plans, and the relationship between community action plans and Local Place Plans should be clarified in future guidance.

1.5 Do you have any other views on the revised GPPs?

Key figures

- 28 comments obtained from respondents

Summary

Alongside general, positive comments regarding the usefulness of the GPPs, a number of suggestions for improvement/ clarifications were made by respondents.

The issue surrounding the value per MW figure was raised again, with a desire to see this figure being index-linked.

Additional comments provided included:

- Further clarity on establishing boundaries between communities to determine who is/ is not impacted.
- More guidance on capacity building in communities.
- Consideration to communities impacted by transportation to and from projects.
- Further information on how community action plans and community benefit funds are monitored.
- The need to promote involvement from local authorities.
- Concerns around the impact when re-powering renewable energy installations, and their impact on community benefit arrangements.
- At which stage in the development of an installation should community benefits begin (for example – at the handover stage or the construction stage, etc.).
- The need to ensure a level-playing field between renewable energy developments vs. non-low carbon alternatives.
- Concerns regarding what happens to community benefit arrangements when a development is sold.

Scottish Government Good Practice Principles for Shared Ownership of Onshore Renewable Energy Developments

2.1 Do you consider that the revised Good Practice Principles (GPPs) offers clear and practical guidance that will support the delivery of successful shared ownership schemes in Scotland?

Key Figures

- 38 responses (80.9%) were received for this question
- 25 comments obtained from respondents

	Yes	No	Don't Know	Not Answered
Community groups (5)	1	-	2	2
Local Authorities and other public sector (6)	3	1	-	2
Trade bodies and interest groups (7)	2	-	4	1
Renewables industry (18)	9	3	2	4
Others (4)	2	1	1	-
Individuals (7)	4	3	-	-
Total	21	8	9	9

Summary

55.2% of respondents, including half of all renewable energy industry respondents, believed that the GPPs offered clear and practical guidance regarding shared ownership schemes in Scotland.

Many respondents agreed that the revised GPPs were both reasonable and practical.

However, a number of areas of potential improvement were highlighted, including further promoting liaison with other community groups who have experienced shared ownership, and perceptions around the language in the GPPs being too technical.

Similar to the responses received regarding Community Benefits, a number of respondents who selected “No” felt that, as the GPPs are voluntary, they are open to abuse.

Also, further parallels can be drawn to comments made in the Community Benefits section around the need to explore how there can be greater involvement of local authorities.

Developers also raised concerns around the changing energy landscape in the UK – particularly as there are changes to subsidies offered by the UK Government which could impact the financial viability of projects.

Although 23.7% of respondents stated “Don’t Know” in their response, further comments were submitted from trade bodies and interest groups.

Representatives from various associations believed that the guidance did not provide enough support for certain groups in particular, such as:

- Coastal communities
- Fishing communities
- Landowners
- Private businesses

2.2 Do you consider that the revised GPPs includes sufficient detail on the investment risk?

Key Figures

- 37 responses (78.7%) were received for this question
- 27 comments obtained from respondents

	Yes	No	Don’t Know	Not Answered
Community groups (5)	-	1	2	2
Local Authorities and other public sector (6)	1	2	1	2
Trade bodies and interest groups (7)	-	3	3	1
Renewables industry (18)	5	7	1	5
Others (4)	1	2	1	-

Individuals (7)	1	4	2	-
Total	8	19	10	10

Summary

The above table demonstrates that over half of respondents (51.3%) believed that there was insufficient investment risk detail.

The comments provided from those who chose “No” were consistent amongst individuals, interest groups and community groups: that the GPPs did not provide enough information surrounding investment risks, and communities must have the ability to fully understand the financial risks surrounding shared ownership before pursuing the matter further.

The general consensus amongst renewable energy developers who said “No” was the need to ensure that communities are aware of the risks of shared ownership from the outset also (i.e. within the GPPs), while also raising separate concerns over whether or not the closure of UK Government subsidies would prevent shared ownership schemes from being financially viable in the future.

This is in contrast to the developers who selected “Yes”, where the feedback received recognised that the GPPs cannot cover all potential types of investment risk – but provided enough detail on the subject matter.

2.3 The revised GPPs now includes a section on a Typical Shared Ownership Journey. Is there any additional details that you consider should be included?

Key Figures

- 37 responses (78.7%) were received for this question
- 24 comments obtained from respondents

	Yes	No	Don't Know	Not Answered
Community groups (5)	1	-	2	2
Local Authorities and other public sector (6)	-	3	-	3
Trade bodies and interest groups (7)	4	-	2	1
Renewables industry (18)	11	1	2	4

Others (4)	2	-	2	-
Individuals (7)	1	4	2	-
Total	19	8	10	10

Summary

Over half of respondents (51.3%) believed that further information could be input into the Scottish Government's *Typical Shared Ownership Journey*.

The comments received varied from group to group, and a brief overview of the key points raised are as follows:

- There was agreement between a number of trade bodies/ interest groups for the need of more case studies from previous, successful shared ownership schemes – as well as greater engagement with the communities involved in these examples.
- A request for greater detail within the *Journey* for the benefit of community groups, in particular, was noted.
- Different groups objected to the terminology around this being a “typical journey”, as what would be entailed within the shared ownership process varies from project to project.

In addition to the above, a number of developers provided input regarding potential adjustments to be made to the *Journey*, while also raising concerns about the management of community expectations around:

- The timescales provided – and the need to stress that there are indicative.
- The timing of investment payback periods (particularly for future, subsidy-free projects).

Finally, a small number of comments were received by those who said “No” and “Not Answered”, which concerned minor adjustments to the formatting and terminology of the *Journey*.

2.4 It is the intention to amend the guidance on a regular basis to ensure it reflects changes to policy and/ or other relevant issues. How frequently do you consider this should happen?

Key Figures

- 39 responses (82.9%) were received for this question
- 25 comments obtained from respondents

	Annually	Every 2 years	Other time period	Not Answered
Community groups (5)	2	2	-	1
Local Authorities and other public sector (6)	-	3	1	2
Trade bodies and interest groups (7)	4	2	-	1
Renewables industry (18)	2	5	7	4
Others (4)	1	1	2	-
Individuals (7)	4	3	-	-
Total	13	16	10	8

Summary

As the above table shows, “*Every 2 years*” was the most popular choice from respondents (41%).

A number of respondents who opted for this time period, from a mixture of backgrounds, believed that the GPPs should be reviewed more often but the actual amendments should be 2 yearly to reduce the administrative burden.

Furthermore, multiple organisations felt it would be beneficial for renewable energy developers to be involved during the review process.

Of those respondents who suggested “*Annually*” (33.3%), the comments provided suggest a split between those who feel it is important to consider the GPPs each year to ensure they remain relevant compared to respondents who believed they should be reviewed annually (but not amended) every year initially – then change to every second year.

This is similar to those who selected “*Other time period*” – where there was a general consensus that the Scottish Government should review annually but make amendments (where required) anywhere between every 2 to 5 years.

Concerns were raised about having reviews and amendments too often, as this could place an unnecessary burden on parties involved.

2.5 Do you have any other views on the revised GPPs?

Key Figures

- 26 comments obtained from respondents

Summary

The majority of comments received were from renewable energy developers. However, some additional points were made by other groups, including:

- Ensuring that communities are not pushed towards the idea of shared ownership by those with vested interests.
- Ensuring everyone in the community has a voice and that no one is left behind.

With regards to the responses from developers, while there was general support for the GPPs and feedback surrounding minor language and terminology changes, a number of developers also raised either new concerns or took the opportunity to reinforce previous comments made.

For example, planning was noted as a key issue - with some developers arguing that, if a developer has offered a shared ownership opportunity to a community, then this should be taken into account during planning process.

However, others were keen to stress that some form of shared ownership should not be mandated in order to gain planning approval.

There was also a view, which was common across a number of developers, that shared ownership should be part of wider-community benefit package offered to communities.

Other key points raised by developers are summarised below:

- Other developers raised the belief that shared ownership was being promoted within the renewables industry, but not other industries.
- The necessity to include developers during the review of the GPPs.
- The need to ensure the GPPs remain flexible.
- How shared ownership, through administrative and other associated costs, could impact on the financial viability of a project.
- The potential for local authorities to be involved, where communities do not have the capacity of interest in shared ownership.

Scottish Government Good Practice Principles for Community Benefits from Offshore Renewable Energy Developments

3.1 Do you think that the Scottish Government’s Good Practice Principles for Community Benefits from Offshore Renewable Energy Developments remain relevant and valid?

Key Figures

- 28 responses (59.6%) were received for this question
- 11 comments obtained from respondents

	Yes	No	Don't Know	Not Answered
Community groups (5)	2	-	2	1
Local Authorities and other public sector (6)	1	-	2	3
Trade bodies and interest groups (7)	3	1	1	2
Renewables industry (18)	1	3	2	12
Others (4)	-	1	2	1
Individuals (7)	3	1	3	-
Total	10	6	12	19

Summary

Of those that provided a response to this question the majority were either in agreement (35.7%) or selected “Don't Know” (42.9%) regarding whether these specific GPPs remained current and valid.

As the table above shows, there were no patterns of specific groups providing certain answers.

Those communities who responded positively stated that the approach taken by developers who they have experience with reflected the GPPs – however, there was a belief that more detail is required at a process-level to protect and link coast communities.

Also, there was a belief that more emphasis should be placed on ensuring groups such as displaced fishing communities are engaged.

Although a minority of respondents (21.4%) disagreed with the question, a number of comments were received. These has been summarised below:

- Comments were provided around the terminology used throughout the document. This included, for example, replacing “community” with “host” or “area of benefit”, as well as the general use of language and terminology that could imply that community benefit is a method of compensation.
- Several responses were submitted around managing the expectations of communities who might expect to benefit. Responses here focused on setting the context appropriately to make the factors influencing a developer’s financial decisions clear to stakeholders, and to set out why offshore wind is unlikely to be able to achieve the value (£) per MW guideline for onshore wind. Also, some respondents felt there would be value in detailing the timeline for a developer to commit to community benefit funding (for example, post-consent). Finally, concerns were also raised that there is a perception that the responsibility for the success of community benefit packages lies disproportionately with developers.
- It was apparent that respondents felt that community benefit packages should be encouraged – however, this should be at the discretion of each individual project.
- It was noted that the GPPs could helpfully provide recognition of the benefit to communities through the economy itself, and the wider contribution to reducing greenhouse gases - regardless of a separate community benefit package.
- There were also concerns around floating wind technology itself – with feedback provided that this is not a mature technology, and is still in development (similar to wave and tidal technology).

Although the majority of respondents did not provide an answer (67.8%), a number of comments were received – predominately around how the GPPs should reflect the growth of the offshore wind industry.

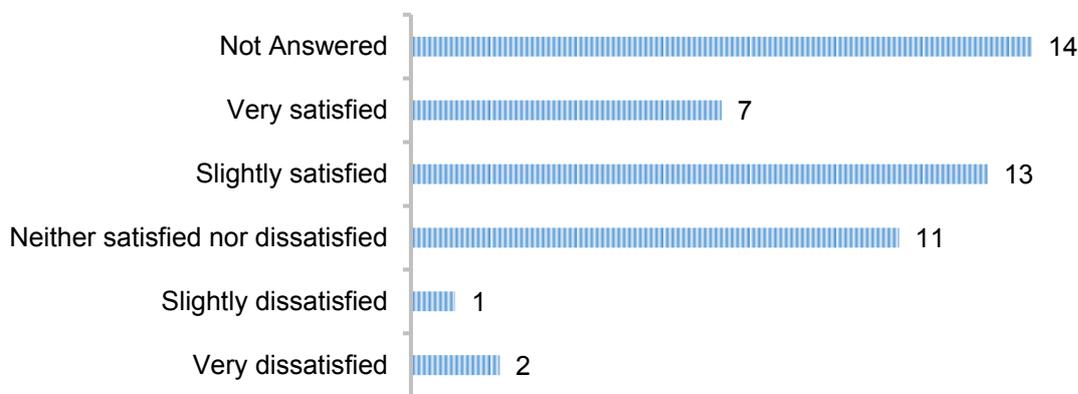
Consultation

At the end of the questions, respondents were asked if they would like to provide feedback in order to help improve future consultations and this section outlines the findings from these responses.

How satisfied were you with the consultation?

Key Figures

- 20 respondents were satisfied with the consultation
- 3 respondents were dissatisfied
- 5 comments obtained from respondents



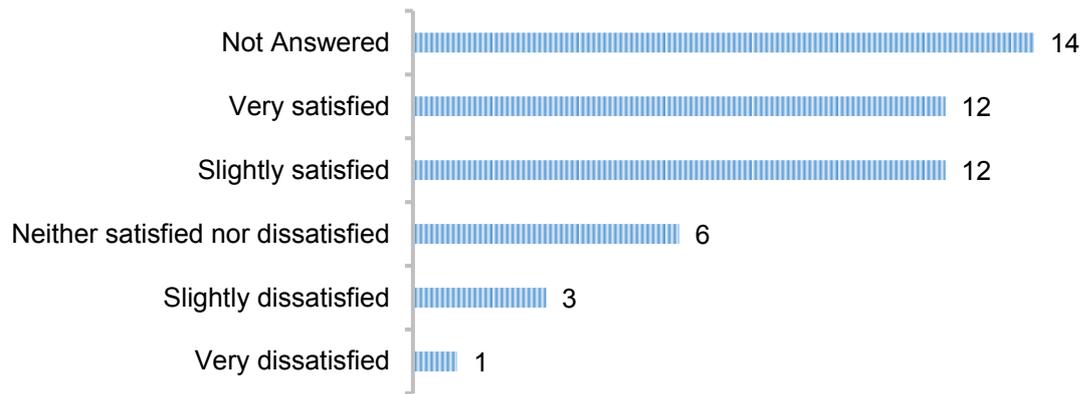
The additional commentary and comments received included:

- That some of the questions were written to encourage certain responses.
- The need for an alternative to agree / disagree.
- The need to better publicise consultations.

How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?

Key Figures

- 24 respondents were satisfied with the online platform
- 4 respondents were dissatisfied
- 5 comments obtained from respondents



Only 5 respondents provided any additional commentary, with mixed feedback regarding the user-friendliness of the online platform.

Appendix 1: Respondent Organisations

Organisation	
Aberdeenshire Council	Abundance Investment Ltd
Airvolution Clean Energy Limited	Argyll and Bute Council
Biggar Community Council	Clyde Fishermen's Association
Communities Inshore Fisheries Alliance	Community Windpower Ltd
Dorenell Windfarm Community Forum	Dumfries & Galloway Council
E.ON Climate and Renewables	Eden Renewables
EDF Energy	Firth of Forth Lobster Hatchery Limited
Force 9 Partners LLP	Foundation Scotland
Great Glen Consulting	Heads of Planning Scotland and Scottish Local Authorities Economic Development
Highland Council	Historic Environment Scotland
Hoolan Energy Ltd	Innogy Renewables UK
Lightsource BP	Muirhall Energy
Murieston Community Council	North & East Coast Region Inshore Fisheries Group (NECRIFG)
Red Rock Power	RES
Reston and Auchencrow Community Council	Ripple Energy
Scottish Land & Estates	Scottish Renewables
ScottishPower Renewables	Shetland Community Benefit Fund Ltd
Solar Trade Association	SSE
Statkraft UK Ltd	Strategy & Policy Section of Perth & Kinross Council
Vattenfall	Wind2 Limited
7 no. Individuals	

Appendix 2: External Workshop Summary

Please find below a brief summary of the key points raised by stakeholders during the external workshops, which were held across Scotland throughout January 2019:

Scottish Government Good Practice Principles for Community Benefits from Onshore Renewable Energy Developments

- There was a view amongst certain groups that the GPPs should be mandatory, rather than voluntary.
- The analysis of this consultation highlights similar beliefs raised at the workshops: with specific groups believing the value per MW figure is not achievable in the current environment, and the need to recognise the wider benefits which renewable energy projects bring to communities.
- However, the general feedback received from stakeholders across all groups was positive with regards to the shift towards a more flexible approach to community benefit packages.
- The general consensus between different stakeholder groups was that community action plans (1.4) could be beneficial – however, it was important to recognise that communities may need additional support to create/ manage such plans.
- Further feedback included the inclusion of case studies within the GPPs (both positive and negative – i.e. where lessons could be learnt) and the need for further guidance during the community identification process.

Scottish Government Good Practice Principles for Shared Ownership of Onshore Renewable Energy Developments

- Similar to the above – there was a view amongst similar groups that the GPPs should become mandatory, as opposed to voluntary.
- The need to ensure greater understanding of risks for all parties involved in the shared ownership process was also stressed.
- As highlighted at 2.3 within this document, concerns were raised regarding the indicative timescales provided within the shared ownership Typical Shared Ownership Journey.
- As per the findings of the consultation analysis (2.4), the general agreement amongst stakeholders was for bi-annual reviews of the GPPs.
- Finally, it was noted that community groups in particular would prefer to have greater insight of project finances from the outset – however it was acknowledged that this may not always be feasible due to a number of issues.

Scottish Government Good Practice Principles for Community Benefits from Offshore Renewable Energy Developments

- Very little feedback was received – however, there was a belief that the GPPs need to be revised to reflect current conditions and more engagement is required with stakeholders to do so.



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