

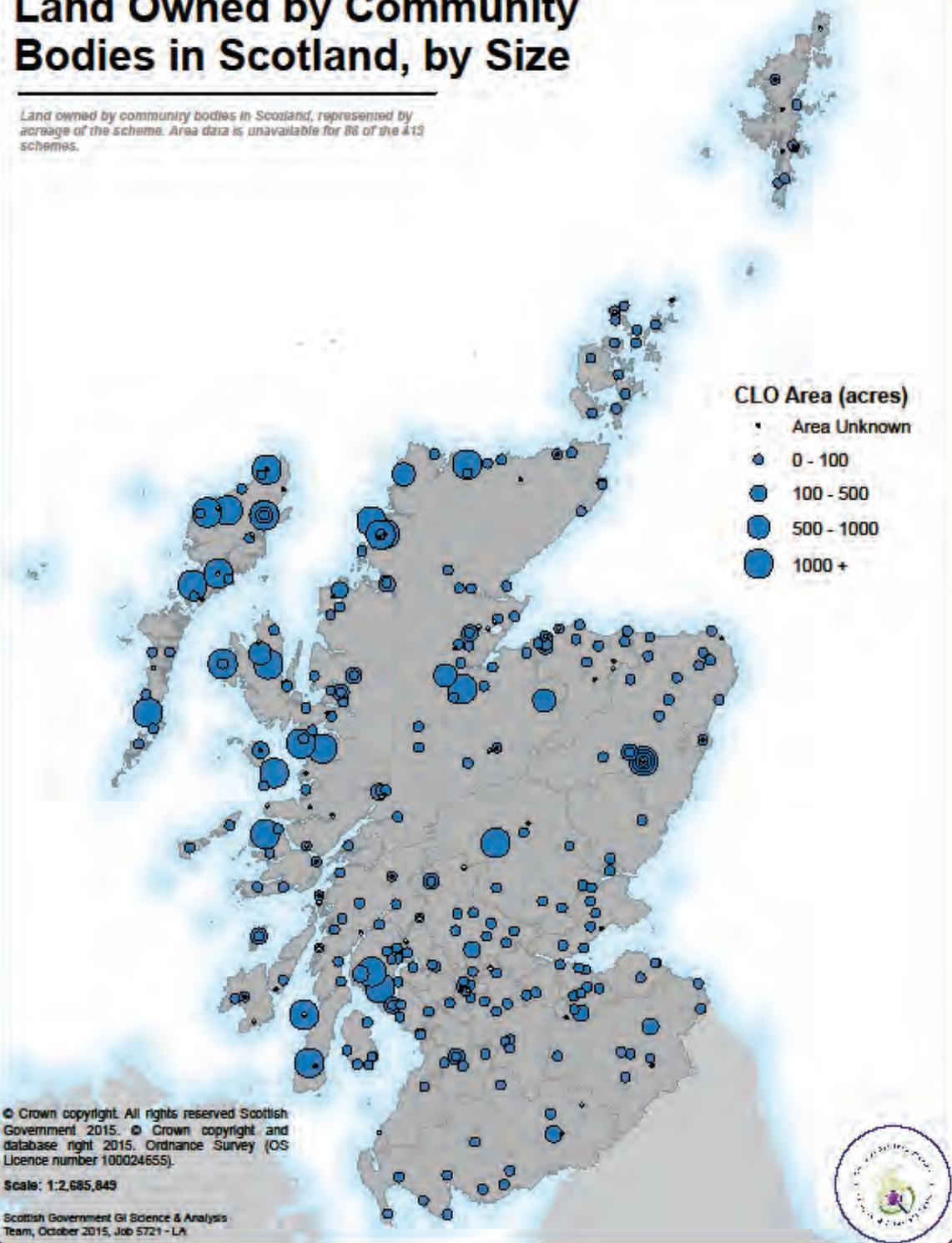
One Million Acres by 2020

**Strategy report and recommendations from
the 1 Million Acre Short Life Working Group**

December 2015

Land Owned by Community Bodies in Scotland, by Size

Land owned by community bodies in Scotland, represented by acreage of the scheme. Area data is unavailable for 88 of the 413 schemes.



Contents

1. Why 1 million acres? What's the case for action?	3
1.1 Background	3
1.2 SLWG – remit & structure	5
1.3 Evidence – benefits of CLO	8
1.3.1 Benefits that are specific to community ownership and may not be realised through other forms of community management.....	8
1.3.2 Benefits of community ownership for communities as landowners	9
1.3.3 Benefits for the broader community.....	11
1.3.4 Conclusion	14
1.4 Definition – What do we mean by community land ownership?	15
1.5 How much land is currently in community ownership?	16
2. Vision & Principles.....	19
3. Policy Context.....	20
4. Elements of Change.....	21
4.1 Demand for land.....	21
4.2 Capacity of communities	25
4.3 Engagement with and within communities	27
4.4 Access to support services.....	28
4.5 Network of support providers.....	31
4.6 Availability of land.....	32
4.7 Barriers to the supply of land.....	33
5. How will we measure success? Methodology	37
5.1 Measuring progress towards 1 million acres.....	37
5.2 Measuring progress – other outcomes.....	38
6. Priorities for action.....	40
7. Looking ahead - How will the SG work with partners to deliver the strategy?..	44
Annex A - Overview of 1 Million Acre Strategy.....	45
Annex B – Organisations contacted for baseline study.....	46
Annex C – List of external stakeholders consulted in strategy development (in addition to SLWG members).....	48

1. Why 1 million acres? What's the case for action?

1.1 Background

Community ownership is at the heart of the Scottish Government's community empowerment agenda. The acquisition and management of land can make a major contribution towards creating stronger, more resilient and more independent communities. The Scottish Government has an important role in supporting communities who have the ambition to take on ownership of land. Landownership is increasingly seen as an 'enabling tool' by many communities, with the ability to achieve a wide-ranging set of impacts and contribute to the continued resilience of Scotland's communities.^{1 2}

The whole Land Reform agenda is at its highest profile for some time as a result of a number of approaches that are taking place at the moment. The Community Empowerment Act (Scotland) 2015, and the Land Reform (Scotland) Bill both take steps to widen the opportunities for communities to take on ownership of assets, whilst simplifying the process. The Scottish Land Fund and the People and Communities Fund have both been increased, which will provide more opportunities to communities through access to funding.

The Community Empowerment (Scotland) Act 2015 frames ownership or control of land or buildings as the key element within effective community-led regeneration or development. Not only can community ownership help to safeguard or enhance local facilities, it is also seen as a means to generate income for community activity, increase community confidence and cohesion, enable communities to have more control over their futures, and support economic regeneration and sustainable development of the community.³

At the time of writing (October 2015) there are at least 480,000 acres of land estimated to be in community ownership in Scotland. The distribution of community land ownership across Scotland can be seen in the map above. To demonstrate the Scottish Government's commitment to supporting community land ownership the First Minister announced, in June 2013, a target of 1 million acres of land into community ownership by 2020.

¹ Atterton (2013) Community Ownership of Assets: Discussion at the Cross Party Group in the Scottish Parliament on Rural Policy

http://www.sruc.ac.uk/download/downloads/id/1291/27th_march_approved_minutes

² Skerratt (2011) Community land ownership and community resilience

<http://www.communitylandscotland.org.uk/wp-content/uploads/2014/06/commlandownerfullowres.pdf>

³ [http://www.scottish.parliament.uk/S4_Bills/Community%20Empowerment%20\(Scotland\)%20Bill/b52s4-introd-pm.pdf](http://www.scottish.parliament.uk/S4_Bills/Community%20Empowerment%20(Scotland)%20Bill/b52s4-introd-pm.pdf), p. 12, paragraph 53

Table 1 outlines the significant events that have led to the establishment of the 1 million acre SLWG and its final outputs.

Table 1: Timeline of 1 million acre short life working group significant events

June 2013	1 million acre target announced by First Minister at Community Land Scotland Conference in Skye
May 2014	Land Reform Review Group final report published containing recommendation for Scottish Government to set up a short life working group to improve existing information on the numbers and types of community land owners and the land that they own, and to develop a strategy for achieving this target.
June 2014	Minister for Environment and Climate Change announces commitment to take forward LRRG recommendation to set up short life working group
November 2014	2014-15 Programme for Government published, announcing a Scottish Government commitment to develop a dedicated resource within the Scottish Government to promote and facilitate community land ownership in partnership with stakeholders across the whole of Scotland in line with the LRRG's recommendation for the establishment of a dedicated community land ownership resource.
January 2015	1 million acre short life working group established with remit of designing a strategy to deliver the 1m acre target by 2020, including an agreed action plan outlining how to implement the 1m acre strategy. This will include shaping the functions of a new dedicated community land ownership resource within the SG as per the PFG commitment
March 2015	1 million acre short life working group commenced work
June 2015	Community Empowerment (Scotland) Act passed and Land Reform (Scotland) Bill introduced in Scottish Parliament
Early November 2015	1 million acre strategy finalised and short life working group concludes

This document is a report of the findings and recommended actions from the SLWG in order to deliver the 1 million acre target.

Where does the 1 million acre target fit in? The 1 million acre target clearly measures acreages, but it is recognised that the impact of community ownership cannot be measured in acreage alone. When the then First Minister, Alex Salmond, set the 1 million acre target he recognised that “...size of acreage is not the only thing that matters. Of course land matters for economic, strategic, sometimes symbolic reasons, not just a question of size.”⁴ Community ownership is sometimes seen as an end in itself, as part of a shift towards a more diverse and dispersed pattern of landownership. The community empowerment agenda recognises this and sees community ownership as a means to an end: to support the development of more empowered, enterprising and resilient communities, capable of making a greater contribution within the future provision of public services. The advancing community empowerment and land reform agenda is helping to promote community ownership as relevant to all communities in Scotland. It has challenged the notion of community ownership being regarded as a predominantly rural issue to one that is equally relevant to urban communities as well as all communities out with the Highlands and Islands.

1.2 SLWG - remit & structure

In March 2015 the 1 million acre SLWG was set up with the following remit, to produce:

- A summary of the benefits of community ownership and a vision and agreed set of principles to guide the 1m acre strategy
- A definition of community ownership to be measured for the 1m acre target
- A methodology for measuring progress towards the target
- A strategy outlining how to achieve the target by 2020
- An action plan outlining how to implement the target strategy to shape the functions of a new dedicated community land ownership resource

The SLWG has explored 4 workstreams which collectively informed the development of a strategy to achieve the one million acre target. They were:

1. **Benefits of community ownership.** This aim of this workstream was to provide a clearly defined policy statement on the Scottish Government’s vision and principles for community land ownership linked to the three key programme for government themes of (1) Creating More, Better Paid Jobs in a Strong, Sustainable Economy, (2) Building a Fairer Scotland and Tackling Inequality, (3) Passing

⁴ http://www.communitylandscotland.org.uk/wp-content/uploads/2014/04/First_Minister_address_-_Community_Land_Scotland_Annual_Conference_2013.pdf

Power to People and Communities. It considered what benefits community ownership provides that leasing or management cannot and produced a summary of the available evidence around the benefits of community.

2. **Identifying the community.** This workstream agreed a definition of community for the purpose of measuring progress towards the 1m acre target and to decide whether the target should focus solely on community land ownership or whether it should also include community controlled land. It also identified what information is needed and what is currently available to measure progress. It then used this information to identify information gaps and make recommendations on how to fill these.
3. **Supply of land.** The aim of this workstream considered whether there is enough land available to meet the target. It also considered how to increase the supply of land available to be transferred into community ownership from willing sellers. Key focuses included types of land available for community purchases, implementation of the relevant sections of the Community Empowerment Bill, public asset transfers, identification of assets through the land register and Scottish Government Crofting and Forestry Estates.
4. **Supporting demand.** This workstream focused on a number of related areas, including how to develop a more collaborative approach which would optimise and build on the expertise and resources already available. Topics included how to inspire communities, peer support and mentoring, understanding community needs and visions for land ownership, community consultation and participation in strategy development, consistency in level of support for communities across the country (both urban and rural), building strength and capacity in communities for land ownership, availability of expert advice, reducing burdens on communities undergoing purchases, availability and flexibility of funding.

The SLWG focused on ownership and on the journey up to the point of acquisition. **The group acknowledges that other forms of access to land such as leasing or management agreements can have an important part to play** but the work of the SLWG focused specifically on outright ownership, and the degree of control and specific legal rights which ownership brings, and why ownership of land is important to communities. The SLWG has also not sought to compare private ownership or public ownership with community ownership as all tenures are capable of providing a wide range of benefits.

The SLWG agreed to focus on how to increase community land ownership in terms of the point up to acquisition and that **post-acquisition support was out with the remit of this work**. The group fully recognises the importance of on-going support throughout the journey of land ownership to ensure that the benefits of community land ownership become sustainable in the long term. The SLWG acknowledges that the community ownership journey does not stop at the point of acquisition and that post-acquisition support is also important and should be considered in other work.

Each workstream had a lead individual who also sits on the steering group which oversees the work of the SLWG and is responsible for producing the final outputs.

Work stream leads were:

- Work stream 1: **Sarah Skerratt**, Scotland's Rural College (SRUC)
- Work stream 2: **Ian Cooke**, Development Trust Association Scotland
- Work stream 3: **Alan Laidlaw**, Crown Estate
- Work stream 4: **Peter Peacock**, Community Land Scotland

In addition to the workstream leads the steering group also had the following additional members:

- *Stephen Pathirana, Scottish Government (Chair until July 2015), replaced by Steve Sadler (Chair) in August 2015.*
- Sarah-Jane Laing, Scottish Land & Estates
- Rachael McCormack and Sandra Holmes, Highland & Islands Enterprise
- Bob Frost, Forestry Commission Scotland

Throughout this document there is a set of recommendations that together with the actions in table 2.2 form the 1 million acre strategy. This is summarised in Annex A.

1.3 Evidence – benefits of CLO

Community land ownership is part of a broader process of community-led, asset-based, development, reflected within the aims of the Community Empowerment (Scotland) Act 2015, which is taking place in Scotland. Asset-based community development focuses not on the deficits of an area, but on the range of assets that exist, and use those to deliver positive, sustainable change.⁵ It is an important part of an organic, bottom-up, people-centred process, responding to threats and opportunities and forging an alternative approach to large-scale, top-down solutions which have characterised regeneration in many parts of Scotland for decades.⁶ As such, community ownership of land and other assets is a means to an end: one that has the potential to offer a range of different benefits.

In the next sections three distinct types of benefits that community ownership can offer will be discussed:

- Benefits that are specific to community ownership and may not be realised through other forms of community management (e.g. leasing, management, partnerships)
- Benefits of community ownership for communities as landowners
- Benefits for the whole community

1.3.1 Benefits that are specific to community ownership and may not be realised through other forms of community management

There are distinct economic, social and psychological differences between owning and leasing or managing an asset. One of the key benefits of ownership is the higher level of **security** and **control** it offers, in turn contributing to building community resilience.⁷ Although leases, management or partnership agreements are often suitable for communities wanting to undertake certain activities, these can often restrict what community groups are or are not allowed to do, and limit security of tenure. The stakeholders we spoke to highlighted that the higher level of flexibility to develop an asset that ownership affords can also be very important. This can be particularly important in the long-term, as communities' circumstances or ambitions can often change. In this situation, the weakness of a lease or partnership agreement is exposed if the communities' ambitions diverge from those of the owner, and the lease may not provide the flexibility required.

The higher level of security and control which ownership offers also has beneficial financial implications. The primary, tangible, benefit of asset

⁵Scottish Government (2011) Regeneration Strategy: Achieving a Sustainable Future. <http://www.gov.scot/Resource/Doc/364595/0123891.pdf>

⁶ Land Reform Review Group (2014) The land of Scotland the Common Good, p. 83

⁷ Aiken et al (2011) Community organisations controlling assets: a better understanding. Report for the Joseph Rowntree Foundation. <https://www.jrf.org.uk/report/community-organisations-controlling-assets-better-understanding>

ownership can be its potential to create increased **financial sustainability**. Having an asset(s) on a balance sheet is well recognised good accountancy practice. As both previous research⁸⁹¹⁰ and our own interviews have shown, the security of tenure that ownership offers is often a prerequisite for attracting capital investment to acquire or develop the asset.

Through asset ownership communities can also increase the leverage which community groups have with external agencies, enhancing their ability to be treated as stakeholders and addressing potential power imbalances within **partnership working arrangements**.¹¹ In some instances asset-ownership provides communities with the potential to bring money to the table. Community ownership can also change external stakeholders perceptions of the community – imbuing, as it does, a sense of continuity and stability.¹² This ability to rebalance partnership working is already evident in a range of areas. It is perhaps most notable in relation to housing where communities have collaborated with housing associations, the private sector and other community organisations in order to provide affordable housing.¹³¹⁴

1.3.2 Benefits of community ownership for communities as landowners

The benefits of community ownership are both material and psychological. In a material sense, communities taking more control of their own future, can contribute to the development of local skills; create new jobs, training and business opportunities; make physical improvements to the area; and improve access to services and activities.¹⁵

Community ownership can change people's perceptions of the land and develop new aspirations.^{16 17} It may enable people to recognise **new possibilities** that might not otherwise have been considered.¹⁸ Once a community acquires an asset, a wide range of potential uses may

⁸ *ibid*

⁹ Skerratt (2011) Community land ownership and community resilience, Edinburgh: Rural Policy Centre, Scottish Agricultural College

¹⁰ Mulholland et al (2015) Evaluation of Community Right to Buy. Report for Scottish Government Social Research.

¹¹ Aiken et al (2011) Community organisations controlling assets: a better understanding. Report for the Joseph Rowntree Foundation. <https://www.jrf.org.uk/report/community-organisations-controlling-assets-better-understanding>

¹² Stakeholder interviews

¹³ Bryan and Westbrook (2014) Summary of Economic Indicator Data. Report for Community Land Scotland. <http://www.communitylandscotland.org.uk/wp-content/uploads/2014/06/FINAL-Community-Land-Scotland-Economic-Data-Report-140414-For-Release.pdf>

¹⁴ Stakeholder interviews

¹⁵ Aiken et al (2011) Community organisations controlling assets: a better understanding. Report for the Joseph Rowntree Foundation. <https://www.jrf.org.uk/report/community-organisations-controlling-assets-better-understanding>

¹⁶ *ibid*

¹⁷ Stakeholder interviews

¹⁸ Alastair Nicolson in Hunter (2012) From the Low Tide of the Sea to the Highest Mountain Tops. Islands Book Trust.

materialise.¹⁹ For example, the North West Mull Community Woodland Company took over 1,700 acres of plantation forest from the Forestry Commission in 2006. Timber felling and extraction provides a regular income, to be further boosted by a proposed micro-hydro scheme. Recently, the group has also begun to establish a woodland burial ground, which will also provide an additional income stream. Furthermore, the recent establishment of nine woodland crofts have created new housing and livelihood opportunities and are helping to reverse population decline.^{20 21} The establishment of woodland crofts is currently also planned by Kilfinan Community Forest Company, whilst a number of other groups (e.g. North Harris Trust, Knoydart Foundation, West Harris Crofting Trust) have also established other housing projects in order to encourage population growth.

As the example of North West Mull shows, this **diversification of activities** has important socio-economic benefits. Research of a dozen landowning community groups, with an average age of 11 years, shows that their turnover (including that of their trading subsidiaries) has increased from £1.7m in their first year of trading to £6.1m in 2012/13 and, that staffing levels have also increased fourfold during this time.²² This ability to generate future income from the asset means there is an improved opportunity to create additional direct employment and also to reinvest in community infrastructure.^{23 24}

Community ownership and management of assets can also help to create a stronger **sense of community identity and pride**; and has the potential for increased social cohesion and confidence.^{25 26} These outcomes in turn contribute towards communities being more proactive and future-focused; thinking about their responsibility to future generations and increasingly taking decisions with this in mind.²⁷

Although the above discussion has shown that there are clear benefits to community ownership, community organisations considering this option need to be equally mindful of the **risks and challenges** involved. Assets have the potential to become liabilities that can undermine community

¹⁹ Stakeholder interview

²⁰ Hunter (2012) From the Low Tide of the Sea to the Highest Mountain Top. Islands Book Trust.

²¹ <http://nwmullwoodland.co.uk/>

²² Bryan and Westbrook (2014) Summary of Economic Indicator Data. Report for Community Land Scotland. <http://www.communitylandscotland.org.uk/wp-content/uploads/2014/06/FINAL-Community-Land-Scotland-Economic-Data-Report-140414-For-Release.pdf>

²³ Mulholland et al (2015) Evaluation of Community Right to Buy. Report for Scottish Government Social Research.

²⁴ Bryan and Westbrook (2014) Summary of Economic Indicator Data. Report for Community Land Scotland. <http://www.communitylandscotland.org.uk/wp-content/uploads/2014/06/FINAL-Community-Land-Scotland-Economic-Data-Report-140414-For-Release.pdf>

²⁵ Bryan (2015) Pilot study of Social Impacts of Community Land Ownership. Report for Community Land Scotland. <http://www.communitylandscotland.org.uk/wp-content/uploads/2014/06/CLS-Social-Impacts-Pilot-Survey-Final-Report-for-Release-290115.pdf>

²⁶ Skerratt (2011) Community land ownership and community resilience, Edinburgh: Rural Policy Centre, Scottish Agricultural College

²⁷ *ibid*

aspirations.²⁸ First, there is the obvious financial challenge in taking on what, in many cases, has been a loss making asset. Secondly, the **fragile nature of the sector**, due in part to its reliance on voluntary effort, can present challenges to the viability of individual buy outs and the sector as a whole.²⁹ It is therefore important that communities are provided with accurate information and sufficient support both in terms of land management and governance. This allows them to explore different options and choose the one that is appropriate for their situation.

1.3.3 Benefits for the broader community

The third set of benefits considered here are the benefits which the wider community obtains from community ownership. Due to the varied nature of the sector, the benefits for the wider community can vary extensively. Potentially the primary universal benefit is deemed to be the **ability to influence decisions** and have more control over future development, which community ownership delivers through more localised democratic accountability.^{30 31 32} Local decision-making and higher levels of participation in turn means that community-led projects are more attuned to local needs and priorities, and can be proactive rather than simply reactive in their outlook^{33 34 35}. Although these communities may experience some quite heated debates on both specific issues and decision-making processes^{36 37}, the level at, and ways in which, residents can and do contribute and participate in these debates may not be available in other ownership arrangements³⁸.

Other benefits for the wider community, however, will vary according to a project's scope and aims. 'Harder' benefits, such as investment and jobs, may be achieved more quickly and at a larger scale within larger projects.³⁹

²⁸Aiken et al (2011) Community organisations controlling assets: a better understanding. Report for the Joseph Rowntree Foundation. <https://www.jrf.org.uk/report/community-organisations-controlling-assets-better-understanding>

²⁹ Stakeholder interviews

³⁰ Bryan (2015) Pilot study of Social Impacts of Community Land Ownership. Report for Community Land Scotland. <http://www.communitylandscotland.org.uk/wp-content/uploads/2014/06/CLS-Social-Impacts-Pilot-Survey-Final-Report-for-Release-290115.pdf>

³¹ Stakeholder interviews

³² Mulholland et al (2015) Evaluation of Community Right to Buy. Report for Scottish Government Social Research.

³³ Big Lottery Fund (2013) Growing Community Assets final evaluation report.

³⁴ Skerratt (2011) Community land ownership and community resilience, Edinburgh: Rural Policy Centre, Scottish Agricultural College

³⁵ Mulholland et al (2015) Evaluation of Community Right to Buy. Report for Scottish Government Social Research.

³⁶ Rohde (2004) Ideology, Bureaucracy and Aesthetics: Landscape Change and Land Reform in Northwest Scotland. *Environmental Values*. 13, pp.199-221

³⁷ Brown (2008) Crofter forestry, land reform and the ideology of community. *Social and Legal Studies*. 17(3), pp.333-349.

³⁸ Bryan (2015) Pilot study of Social Impacts of Community Land Ownership. Report for Community Land Scotland. <http://www.communitylandscotland.org.uk/wp-content/uploads/2014/06/CLS-Social-Impacts-Pilot-Survey-Final-Report-for-Release-290115.pdf>

³⁹ Aiken et al 2011 Community organisations controlling assets: a better understanding

However, research has shown that community ownership has the potential to deliver clear **economic benefit** for the wider community. Community landowning bodies have often sought to **invest in local development projects** that aim to contribute to the long-term sustainability of the communities. An evaluation of 12 landowning communities shows that they have invested more than £34 million in local development projects, of which £4.5 million has been invested in housing, with a further £4.8 million invested in communication infrastructure.⁴⁰ The six estates included in this evaluation for whom data was available have shown that the value of contracts awarded to local business has increased by a factor of 43 (from £20,600 to £897,600) since these community groups took over their estates.⁴¹ Furthermore, in these case studies, the number of private enterprises had more than doubled⁴², mirroring trends reported in other pieces of research.⁴³⁴⁴

Beyond these economic benefits there are also important social benefits for the wider community. Research has shown that landowning communities were more likely to experience **population growth or retention**. In a sample of 11 community-owned estates, 9 experienced a growth in local population, with four (Borve and Annishadder, Gigha, Eigg and Knoydart) experiencing more than 40% increase in population numbers.⁴⁵ The communities with the greatest increase in population were also more likely to demonstrate a good demographic balance. These figures counter trends in the rest of the North and West of Scotland which show a slight decline in population and an increasingly older demographic.⁴⁶

The ability of a community to retain or even increase its population has further beneficial knock-on effects, for example keeping key local facilities such as schools open.

The retention of a vital community resource, often a priority for small community asset projects, is in itself a social benefit for the local population. The provision of community facilities, which at the most basic level provides a place for local people to meet and connect, is a pre

⁴⁰ Bryan and Westbrook (2014) Summary of Economic Indicator Data. Report for Community Land Scotland. <http://www.communitylandscotland.org.uk/wp-content/uploads/2014/06/FINAL-Community-Land-Scotland-Economic-Data-Report-140414-For-Release.pdf>

⁴¹ *ibid*

⁴² *ibid*

⁴³ Skerratt (2011) Community land ownership and community resilience, Edinburgh: Rural Policy Centre, Scottish Agricultural College

⁴⁴ Mulholland et al (2015) Evaluation of Community Right to Buy. Report for Scottish Government Social Research.

⁴⁵ Bryan and Westbrook (2014) Summary of Economic Indicator Data. Report for Community Land Scotland. <http://www.communitylandscotland.org.uk/wp-content/uploads/2014/06/FINAL-Community-Land-Scotland-Economic-Data-Report-140414-For-Release.pdf>

⁴⁶ *ibid*

requisite for any endeavours to enhance **social cohesion** and develop a greater **sense of belonging**.^{47 48 49}

The human rights provisions included in the International Covenant on Economic, Social and Cultural Rights (ICESCR) recognise that land plays a socio-economic role which provides a degree of stability and security for individuals.⁵⁰ The ownership of land by vulnerable groups can also serve as an empowering resource and helps to balance social and economic relationships in society.⁵¹ Land, seen through a human rights lens (specifically the ICESCR), is a national asset, and part of the available resources to progressively realise human rights, such as a right to adequate housing, food, decent work and highest attainable standard of health. In this context the form of ownership does not necessarily matter, as long as the management of the land serves the public interest.⁵² Thus, the human rights lens is not only relevant to community ownership of land, but also to other questions of land, such as when discussing rights to affordable housing, in tenancy arrangements for houses, agriculture and forestry, in creation of employment, etc.⁵³

At the heart of the concern of many communities who have bought or are interested in buying land, are questions of basic human rights:⁵⁴

- a. The need for land to develop homes at affordable prices
- b. The need for land to develop community facilities and jobs
- c. The need for land that produces food securely
- d. The need for land in pursuing the common good in developing more resilient and sustainable communities

Empowerment is a core pillar of the human rights approach⁵⁵, as well as the Scottish Government's national outcome of "stronger, more resilient and independent communities", of which community ownership is reported to be at the centre. The Draft Land Rights and Responsibilities Policy Statement, which was included in the Consultation on the Future of Land Reform in Scotland, states that "The ownership and use of land should be in the public interest and contribute to the collective benefit of the people of Scotland". Furthermore, the Community Empowerment (Scotland) Act 2015

⁴⁷ Bryan (2015) Pilot study of Social Impacts of Community Land Ownership. Report for Community Land Scotland. <http://www.communitylandscotland.org.uk/wp-content/uploads/2014/06/CLS-Social-Impacts-Pilot-Survey-Final-Report-for-Release-290115.pdf>

⁴⁸ Stakeholder interviews

⁴⁹ Mulholland et al (2015) Evaluation of Community Right to Buy. Report for Scottish Government Social Research.

⁵⁰ Scottish Human Rights Commission, Consultation Submission - Future of Land Reform in Scotland, February 2015.

⁵¹ *ibid*

⁵² Alan Miller at the Scottish Parliament, 1 April 2015

⁵³ David Cameron at the Scottish Parliament, 1 April 2015

⁵⁴ *ibid*

⁵⁵ Community Empowerment Bill Policy Memorandum (2014)

[http://www.scottish.parliament.uk/S4_Bills/Community%20Empowerment%20\(Scotland\)%20Bill/b52s4-introd-pm.pdf](http://www.scottish.parliament.uk/S4_Bills/Community%20Empowerment%20(Scotland)%20Bill/b52s4-introd-pm.pdf)

includes the provision that Ministers have to regard the International Covenant for Economic, Social and Cultural Rights in relation to (aspects of) the Community Right to Buy.⁵⁶

In an international context, evidence shows that inadequate and insecure tenure rights can increase vulnerability, hunger and poverty.⁵⁷ As examples in Scotland show, communities who have obtained ownership of the land have often shifted their perspective to the long term and have developed a range of projects from upgrading housing stock to developing renewable energy projects, the income of which can contribute to the long-term socio-economic sustainability of a community.⁵⁸

1.3.4 Conclusion

The above discussion shows that there is a broad range of potential benefits that owning land or other assets can achieve. It shows that land is a key asset within the range of physical resources available that can contribute to the sustainable development of Scotland's people and places. The local level of control and democratic accountability that is part of community ownership gives communities the opportunity to respond to local priorities and needs, ensuring that they manage their asset(s) in ways that maximise the benefit to the many. Through the delivery of improved and affordable housing, sustainable economic development and the safeguarding and development of local facilities and amenities, many communities are using their ownership of land as the catalyst for realising and progressing their human rights.

Additionally, the security and outright control that ownership offers allows communities increased ability to be proactive and future-focused, ensuring that community ownership benefits future as well as current generations. Furthermore, it also turns land into an empowering resource, increasing the skills and confidence of those involved. As such, the community ownership of land can be seen as part of the wider bottom-up, people centred approach where communities lead change for themselves and have more control of their own destinies as set out in the Regeneration Strategy⁵⁹ and in the recently passed Community Empowerment Act⁶⁰.

⁵⁶ *ibid*

⁵⁷ FAO (2012) in Hunter (2014) Right-based land reform in Scotland: Making the case in the light of international expertise.

⁵⁸ Rennie and Billing (2015) Changing community perceptions of sustainable rural development in Scotland. *Journal of Rural and Community Development*.

⁵⁹ Scottish Government (2011) Regeneration Strategy: Achieving a Sustainable Future.

<http://www.gov.scot/Resource/Doc/364595/0123891.pdf>

⁶⁰ <http://www.legislation.gov.uk/asp/2015/6/contents/enacted>

RECOMMENDATION

1. The Scottish Government, with advice and input from sector representatives, establish an on-going programme of evidence gathering, research and evaluation of the community ownership sector and the distinct contribution it can make to achieving government objectives, identifying successes, operational and policy challenges that need to be addressed, as well as potentially having agreed indicators and outcomes of success. The Scottish Government should consider how this fits with the role of the Land Commission proposed in the Land Reform (Scotland) Bill.

Theme: Measuring and evaluating progress

1.4 Definition – What do we mean by community land ownership?

Workstream 2 undertook a series of evidence gathering and stakeholder engagement to define community ownership within the context of the 1 million acre target. An initial discussion paper was produced to consider the pros and cons of different options. After feedback from the project's Steering Group and a roundtable discussion with other stakeholders the following definition was agreed for the purpose of measuring progress towards the 1 million acre target:

- 'Community' is defined on a geographical basis, which can be defined by postcode units and/or a prescribed area. This definition of 'community' has been chosen to reflect the importance of place, reflected within current Scottish Government policy and current legislation as well as the implicit objectives of the 1 million acre target.
- A relevant 'community body' is required to have a number of essential characteristics, which collectively ensure that community owned assets are used for the benefit of the wider community rather than one particular interest group. The community body should:
 - Have a clear definition of the geographical community to which the body relates
 - A membership which is open to any member of that community
 - Be locally-led and controlled
 - Have as its main purpose the furthering of sustainable development in the local area
 - Be non-profit distributing
 - Have evidence to demonstrate a sufficient level of support / community buy-in
- Ownership is defined in the legal sense: A legal title coupled with exclusive legal right to possession. **The Short Life Working Group acknowledges that communities can and do lease, manage and jointly own (i.e. Equity stake) assets, but agreed that for the purposes of the target the definition should be restricted to outright ownership.**

1.5 How much land is currently in community ownership?

The current baseline figure for community ownership of land and assets is 480,000 acres across 418 projects. This equates to 2.5% of Scotland currently owned by community bodies, as at September 2015. Table 2 shows a breakdown by local authority area of the distribution of land owned by communities across Scotland.

Table 2: Number and area of land owned by community bodies by local authority area

	Number of community land acquisitions to date ¹	Area (acres) in community ownership ²	Percentage of total CLO in Scotland ³	Total % of acquisitions across Scotland	Percentage of LA land area owned by communities	Estimated population ⁴	Population as % of Scotland population ⁴	Total area (acres)
Aberdeen city	2	1	0.0	0.5	0.0	228,990	4.3	45,889
Aberdeenshire	23	10,578	2.2	5.5	0.7	260,500	4.9	1,559,880
Angus	2	4	0.0	0.5	0.0	116,660	2.2	539,131
Argyll & Bute	65	10,185	2.1	15.6	0.6	87,660	1.6	1,707,170
Clackmannanshire	2	28	0.0	0.5	0.1	51,190	1.0	39,285
Dumfries & Galloway	15	303	0.1	3.6	0.0	149,940	2.8	1,588,093
Dundee City	1	1	0.0	0.2	0.0	148,260	2.8	14,785
East Ayrshire	9	128	0.0	2.2	0.0	122,150	2.3	311,877
East Dunbartonshire	1	1	0.0	0.2	0.0	106,730	2.0	43,117
East Lothian	3	52	0.0	0.7	0.0	102,050	1.9	167,829
East Renfrewshire	1	1	0.0	0.2	0.0	92,380	1.7	43,056
City of Edinburgh	3	2	0.0	0.7	0.0	492,680	9.2	65,071
Comhairle nan Eilean	31	316,717	66.1	7.4	41.9	27,250	0.5	756,098
Falkirk	0	0	0.0	0.0	0.0	157,640	2.9	73,480
Fife	8	78	0.0	1.9	0.0	367,260	6.9	327,421
Glasgow City	13	4	0.0	3.1	0.0	599,650	11.2	43,163
Highland	102	138,651	28.9	24.4	2.2	233,100	4.4	6,339,861
Inverclyde	7	1	0.0	1.7	0.0	79,860	1.5	39,649
Midlothian	6	8	0.0	1.4	0.0	86,210	1.6	87,398
Moray	25	364	0.1	6.0	0.1	94,750	1.8	552,914
North Ayrshire	16	155	0.0	3.8	0.1	136,450	2.6	218,772
North Lanarkshire	3	6	0.0	0.7	0.0	337,950	6.3	116,119
Orkney	20	60	0.0	4.8	0.0	21,590	0.4	244,337
Perth & Kinross	15	1,449	0.3	3.6	0.1	148,880	2.8	1,306,094
Renfrewshire	0	0	0.0	0.0	0.0	174,230	3.3	64,615
Scottish Borders	14	410	0.1	3.3	0.0	114,030	2.1	1,169,237
Shetland	14	7	0.0	3.3	0.0	23,230	0.4	362,423
South Ayrshire	1	0	0.0	0.2	0.0	112,510	2.1	301,958
South Lanarkshire	5	54	0.0	1.2	0.0	315,360	5.9	437,850
Stirling	6	254	0.1	1.4	0.0	91,580	1.7	540,411
West Dunbartonshire	3	1	0.0	0.7	0.0	89,730	1.7	39,230
West Lothian	2	1	0.0	0.5	0.0	177,150	3.3	105,696
Scotland	418	479,498	100.0	100.0	2.5	5,347,600	100.0	19,251,912

1: This is the total number of community land acquisitions recorded in dataset as at 23 Sep 2015

2: Total area of land (in acres) owned by community bodies. Total area greater than zero but less than 1 acre has been rounded up to 1 acre for reporting.

3: This is the proportion of all community owned land in each LA

4: Based on 2014 mid-year population estimates, National Registers Scotland

A wide range of organisations were contacted and the majority provided the data they had on community land ownership. The full list of organisations contacted can be found in Annex B. Most of the organisations who responded to our request were able to contribute data, although some either did not currently collect data on community ownership or were not aware of any community ownership projects. The data that was received from the remaining organisations varied in scope and detail, often a result of the initial purpose for which the data was collected. For example, not all organisations record the acreage of a community asset, and very few record suggested or achieved outcomes.

The information these organisations submitted has been collated into a single database. Following this, the database was 'cleaned up': duplicates were removed and projects which did not clearly meet the definition selected by workstream 2 (i.e. acquisitions by Housing Associations; leases rather than purchases) or which were not yet completed (or could not be

verified as being completed) were separated out into separate spread sheets.

Finally, discrepancies in the data from different sources were identified. In the majority of cases these were easily identified, especially where they concerned operator errors (e.g. forgotten to convert from hectares to acres). Where the correct figure could not be established, the Registers of Scotland were contacted in order to obtain the accurate figure from the Land Register.

The baseline study has captured nearly all of the acreage in community ownership but the SLWG acknowledges that there will be many, especially smaller assets, in community ownership that are not included in this study. It is thought that community groups themselves will be best placed to share this information, although some of it may also be held by local authorities.

Community organisations have acquired land from a wide range of owners. Many of the largest buyouts have involved purchases from private owners, but community groups have also acquired assets from Local Authorities and public bodies. Unfortunately this information has not been consistently recorded, and we can currently only provide statistics based on the available information.

- Of the more than 480,000 acres in community ownership, 52,000 have been acquired through the Scottish Government's Community Right to Buy process. The remainder has been acquired on the open market, through direct voluntary negotiations prior to or in the shadow of the law, empowered by the availability of the legislation, or through asset transfer (i.e. schemes such as the Forestry Commission's National Forest Land Scheme).
- Around 10,000 acres have been transferred from the Forestry Commission to community organisations. This does not include land that is leased or managed in partnership with the Commission. Communities have also acquired land from other public bodies, such as the Ministry of Defence, Scottish Water and from the Scottish Government's Crofting Estate.
- Based on the data collected it appears that local authority asset transfers mostly involve buildings and other forms of property, and therefore assets with a small acreage. However, many of these transfers have enabled community groups to save, establish or run key local facilities, ranging from community hubs to sports pitches and from piers to office and other forms of work space.
- The majority of land, in terms of acres, within community ownership to date has been acquired in the form of whole estates (predominantly crofting estates) and forestry/ woodland. The types of assets acquired by communities to date can be seen in table 3.

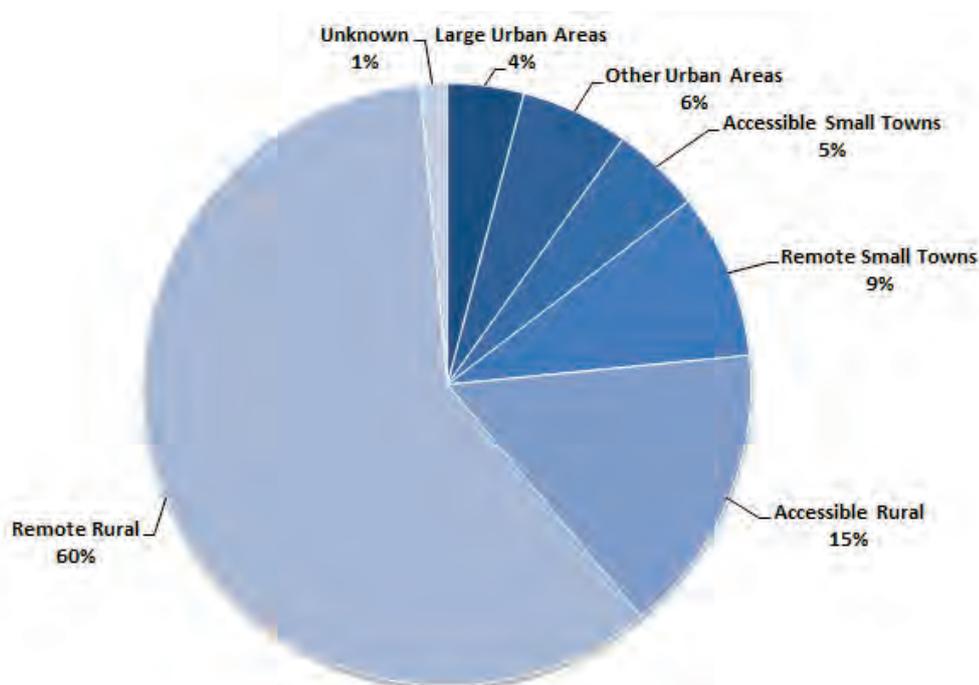
- Chart 1 below shows that the majority (76%) of land acquired by communities to date has been in rural Scotland.

Table 3: Type of land acquired by community bodies as at September 2015

Type of land purchased by community	Acres	Percentage of acres in community land ownership	Number of acquisitions	Percentage of number of community land acquisitions
Whole Estate	298,483	62.2	9	2.2
Crofting Estate	151,585	31.6	11	2.6
Woodland	22,763	4.7	52	12.4
Land	3,206	0.7	20	4.8
Unknown	1,701	0.4	29	6.9
Amenity	1,088	0.2	73	17.5
Farm/Crofts	357	0.1	3	0.7
Building(s)	204	0.0	157	37.6
Development Plot	112	0.0	64	15.3
Total	479,498	100	418	100

Note: The whole estate and crofting estate categories may contain a range of types of land (e.g. a whole estate may contain woodland, farms, crofts and/ or buildings)

Chart 1: Urban/ rural distribution of community owned land in Scotland as at September 2015



2. Vision & Principles

The 1 million acre target is underpinned by the following vision and set of principles, which were developed by the SLWG in conjunction with wider stakeholders:

Vision:

A Scotland where a significant increase in the amount of land in community ownership will contribute to a fairer Scotland by helping diversify land ownership and create more sustainable, resilient and empowered communities throughout the country.

Principles:

1. Increase social justice, fairness and the progressive realisation of human rights; and further the sustainable development of Scotland's land, economy, communities and places.
2. Reduce inequalities through wider access to resources resulting from more community/ diverse land ownership.
3. Supporting communities to realise their aspirations and control their destinies, through increased confidence and cohesion and public support to acquire land and assets.
4. Passing power to more communities through subsidiarity and local decision-making, where communities lead change for themselves.
5. Maximise the collective talents, creativity and determination of communities across Scotland

3. Policy Context

It is important to note that the 1 million acre has the potential to deliver to a wide range of wider policy outcomes, most notable Scotland's National Performance Framework, Government Economic Strategy and the Programme for Government. A summary of the policy context is shown in fig.1 below.

Fig 1: 1 Million Acre Policy Context:

<p>Scottish Government Purpose:</p>	<p>The Purpose of the Scottish Government is to focus Government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth.</p>																				
<p>The 1m Acre target contributes to the following National Outcomes:</p>	<p>We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others. We live in well-designed, sustainable places where we are able to access the amenities and services we need. We realise our full economic potential with more and better employment opportunities for our people Our public services are high quality, continually improving, efficient and responsive to local people's needs We value and enjoy our built and natural environment and protect it and enhance it for future generations</p>																				
<p>Scottish Government national plans, policies, key legislation and strategies with community land ownership element:</p>	<p style="text-align: center;">Scotland's Economic Strategy, Programme for Government 2014-15</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td data-bbox="472 951 689 1086">Community Empowerment Action Plan 2009</td> <td data-bbox="689 951 907 1018">Regeneration Strategy 2011</td> <td data-bbox="907 951 1124 1086">Scottish Forestry Strategy 2006</td> <td data-bbox="1124 951 1341 1050">Land Use Strategy 2011</td> <td data-bbox="1341 951 1559 1153">Scottish Rural Development Programme (inc LEADER) 2014-2020</td> <td data-bbox="1559 951 1720 1050" style="text-align: center;">1 Million Acre Target Strategy</td> <td data-bbox="1720 951 2110 1118">Joint Housing delivery Plan for Scotland 2015</td> </tr> <tr> <td data-bbox="472 1193 689 1294">Land Reform (Scotland) Bill 2015</td> <td data-bbox="689 1193 907 1329">Community Empowerment (Scotland) Act 2015</td> <td data-bbox="907 1193 1124 1294">Land Reform (Scotland) Act 2003</td> <td data-bbox="1124 1193 1341 1361">Transfer of Crofting Estates (Scotland) Act 1997</td> <td data-bbox="1341 1193 1559 1329">National Planning Framework 2014</td> <td></td> <td></td> </tr> </table>							Community Empowerment Action Plan 2009	Regeneration Strategy 2011	Scottish Forestry Strategy 2006	Land Use Strategy 2011	Scottish Rural Development Programme (inc LEADER) 2014-2020	1 Million Acre Target Strategy	Joint Housing delivery Plan for Scotland 2015	Land Reform (Scotland) Bill 2015	Community Empowerment (Scotland) Act 2015	Land Reform (Scotland) Act 2003	Transfer of Crofting Estates (Scotland) Act 1997	National Planning Framework 2014		
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4. Elements of Change

There are a number of factors to consider when looking at what needs to change in order to develop and enable the growth of community land ownership envisioned by the 1 million acre target. We have identified 7 major factors (4.1-4.7 below) that have a number of underlying considerations. These do not however sit in isolation - there are connections between these factors. A set of cross-cutting themes show that a successful 1m acre strategy must consider the 7 factors in parallel, and not in isolation. These cross-cutting themes include Public Policy, Culture and Attitudes, Resourcing and Geography.

The evidence that the SLWG has gathered has been analysed to identify this group of major factors, or 'elements of change' that are seen as the key barriers to achieving the target of 1m acres of land in community ownership by 2020.

4.1 Demand for land

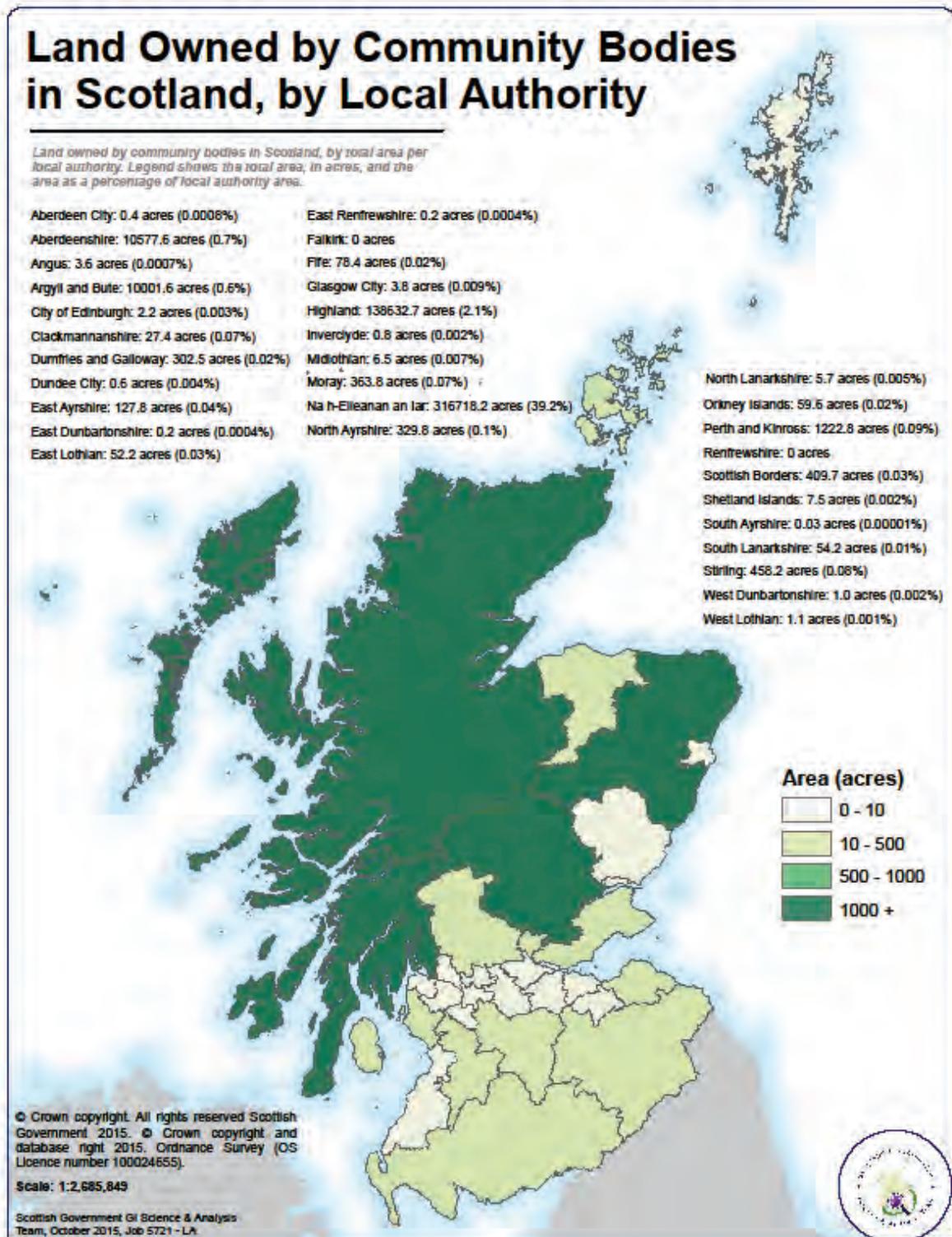
Current trends in the increase of community ownership are upwards. There are at least 480,000 acres of land in community ownership and more and more communities are buying land. There is an additional 71,500 acres of land in the pipeline that has had funding approved from the Scottish Land Fund but is yet to be finally acquired by communities. These transactions are anticipated to conclude by the end of March 2016. If all transactions proceed then the total at the end of March 2016 is expected to be at least 551,000 acres. However, the current trajectory is unlikely to reach the target by 2020, so a step change in levels of activity is necessary in order to stimulate demand to a degree that would have a greater chance of achieving the 1m acre target.

Table 4: Area and number of land acquisitions by community bodies, by year

<u>Year of acquisition</u>	<u>Area (acres)</u>	<u>Number of acquisitions</u>
Pre-1990	92,244	12
1990-1999	64,439	31
2000	4,134	20
2001	253	20
2002	61,722	38
2003	275	26
2004	189	29
2005	53,351	22
2006	151,556	18
2007	1,841	12
2008	30	12
2009	8	12
2010	20,988	23
2011	1,347	10
2012	1,191	6
2013	3,613	16
2014	111	23
2015	12,540	17
Unknown	9,665	71
Total	479,498	418

When the 1m acre target was set it was done so with the intention that it would focus minds to spread the benefits experienced by communities already owning land much more widely. The Scottish Government acknowledge that it is an ambitious target, but see it as not only important in its own terms, but as a driver to step up and encourage a greater appetite for and interest in community ownership and to remain committed to maintaining this momentum.

Fig 2



In addition to the area of land in community ownership there are a number of other measures of success, such as, numbers of communities owning assets, a greater range in the types of people these organisations represent (including people from diversity groups e.g. race, religion etc.) and these organisations being across Scotland. The geographical focus for the development of community land ownership in Scotland in recent years has largely been within the North West of Scotland (see fig 2). It is therefore unsurprising that public awareness of community land ownership, its possibilities and potential benefits, is much greater in the Highlands and Islands, although it can be patchy even within this part of Scotland. Currently there is no strategic approach to how community ownership is promoted across Scotland. **Raising awareness of community land ownership across the whole country** is therefore at the core of stimulating demand.

RECOMMENDATIONS

2. The lack of consistency and a significant lack of awareness should be addressed across all of Scotland, but particularly out-with the Highland and Islands area among communities, landowners and a range of key professionals of:

- The benefits and achievements of community ownership.
- The opportunity that communities have, through the application of current policy and law to take greater control of their environment, circumstances and future through community ownership of land or other assets.
- About what the law actually provides for, and what the policy intentions behind the law and policy is.
- The processes and best practice that communities should follow to consider and potentially achieve ownership of land or other assets.
- The financial and support services that are available to support communities in their endeavours.

3. There needs to be a comprehensive and co-ordinated awareness raising programme of the opportunities of community land ownership developed which addresses different audiences and potential stakeholders - to meet the particular needs of communities, landowners and their support professionals and the wider public sector.

Theme: Raising awareness

The **relationship of a community to the surrounding land** is a significant driver for community land ownership. It is often stated that the appetite for community land ownership in NW Scotland has been driven largely by **market failure** and subsequent community need and desire to address this

at local level. Often community land purchases in these areas have been driven by lack of development or neglect prompting the community to take the future into their own hands, by buying the land and progressing social and economic development which addresses the fragility of their community. This context of a single, larger land owner is less evident in the rest of Scotland and it is important to reflect different local contexts and the range of drivers for change in different communities within awareness raising and support services.

For communities to be successful in acquiring and owning land there needs to be a critical recognition of the potential benefits and liabilities, coupled with a strong **willingness** to take on the asset. Whilst it is clear that demand needs to be stimulated to see significantly more communities owning land **it is also important that communities do not have land ownership thrust upon them** if it is either not the right option for them or they do not wish to pursue this option. Empowerment within a community could be displayed by consideration of an opportunity to purchase land, and then decided not to pursue this option. This will have to be recognised within the evaluation of progress towards the vision.

A key element of stimulating demand is a recognition of where the initial impetus comes from for a community to own land. In many cases it is prompted by a reaction from a community to something happening – an opportunity or a threat (e.g. potential change of owner, potential development). In these cases the community is often faced with tight timescales. The Scottish Government believes that the ownership of land in Scotland should reflect a mix of different types of public and private (including community) ownership that reflects both national and local aspirations and needs⁶¹. Communities need to be encouraged and supported to be more pro-active so that they are better placed to respond positively to these opportunities and threats. This could be achieved through supporting community led visioning and planning activities. While stakeholder engagement should be encouraged within these processes, the importance of the community ‘owning’ the vision and plan cannot be overstated – if communities do not own the vision and plan they are hardly likely to consider community ownership of land as a serious option. Over and above this, the visioning process will only be successful when linked with contemporaneous actions and planning and support to turn the vision into reality.

⁶¹ Scottish Government: A Consultation on the future of land reform in Scotland (2014): Draft Land Rights and Responsibilities Statement p7

RECOMMENDATION

4. It should be recognised that taking a more comprehensive approach to communities owning assets will be significantly enhanced by encouragement and support for community-led visioning and planning, which includes an element of land and other asset mapping. Such visioning must be followed up with action planning to enable communities to then make decisions about, for example, registering an interest in land, and in communicating their vision most effectively to potential willing sellers of land.

Themes: Raising awareness, Engagement

4.2 Capacity of communities

Once a community group has identified a need to take on ownership of land and assets and **has a clear idea of how the land asset will address this need it is essential that it has the capacity to take the project forward.**

Capacity to deliver does not just mean knowledge and skills. Group members are largely volunteers and have finite resources to deliver tasks. Supporting capacity also relates to supporting volunteers and groups to share their knowledge and experience with others without taking precious resources away from day to day activities. For many communities that already own land, peer support and mentoring played a crucial role in helping them get to the point of becoming land owners. There are already a lot of volunteers that give up their time to help other communities, but this takes them away from their role with their own community. The evidence gathered by the 1m acre SLWG suggests that there is a **need for more systematic and properly resourced peer support/ peer mentoring.** This would enable community to community sharing of experiences and expertise, best practice, and also lessons learnt. This will need to be resourced either through additional funding or from within existing budgets and programmes. Any such scheme will not prevent volunteers spending time away from their own community group, but it will help provide some kind of compensation to reflect this.

RECOMMENDATION

5. There should be recognition in the development of future strategy and actions that the existing community ownership sector contains within it considerable insight, understanding, experience and expertise in the processes and best practice around community ownership. The Scottish Government should seek to facilitate the release of this expertise and insight to assist in growing the number of communities contributing to deliver this Strategy's vision as well as community confidence, effectiveness and chances of success.

Theme: Support services

To engage successfully with professionals and landowners, community bodies need to have an **established legitimacy** and have credible plans, to enable them to be an equal partner in negotiations. The majority of community land ownership projects rely on volunteer support and this can create a perception that the group do not have a sufficient level of capacity or capability to make the project successful. Whether or not this is true, there is an issue for less established groups that they perhaps lack the full range of skills they need and are not yet in a position to pay for dedicated staff or resources. As with any other type of business, a lack of a proven track record can be a barrier to community land ownership projects.

Community land ownership projects require strong leadership to keep them on track. Existing leadership capacity can depend on the individuals involved in the project, the experience of the community group and also how established the group is. Often more established groups have developed the capacity to pay for staff to develop projects who bring specific skills and experience direct to the project. The SLWG identified a need to **strengthen both leadership and organisational capacity** within community groups to deliver increasing levels and numbers of land ownership projects. This involves helping communities access the specific insights, tailored support and skills to help them achieve their particular objectives.

Sustainable governance is important for community groups to successfully own land and use it to further sustainable development in their local area. The governance structure of most groups is made up of a board of Directors who are largely unpaid volunteers. Successful community land ownership requires significant buy in from the local community and cannot sustainably rely on a handful of individuals to initiate projects and take them through to ownership and beyond. **Community land owners will require initial and periodic on-going support with governance issues, organisational structures and succession planning.**

Whilst a huge number of community groups achieve significant outcomes with the resources they have, the capacity of community groups to pursue land ownership can be significantly enhanced by **engaging expert professionals at the right time**. The capacity of groups to access different skills varies widely depending on the individuals involved. For groups that lack certain skills and/or experience, engaging professionals to develop their capacity can be extremely beneficial. This could be professional support with legal issues, property issues (architects and surveyors), business and financial planning, feasibility work, planning, project management, peer to peer support, mentoring or training and capacity development for group members. All groups, even high capacity ones, will need professional support of some form. It is helpful if the professionals involved have a clear understanding of community land ownership and the specific needs of the organisation.

4.3 Engagement with and within communities

Once a community group has identified a need and desire to own land, it is important that the whole community and wider stakeholders (including existing landowners and any professionals involved) are engaged in the process. The three key areas where successful engagement will help increase community land ownership are (1) engagement between the community body and the wider community, (2) improved dialogue and engagement between community bodies and existing landowners, and finally (3) improved engagement between professionals and community bodies.

Some community land ownership projects can fail to move forward effectively because of a **lack of early productive dialogue or engagement between the community and existing landowners**. Early engagement can help identify what land the community needs to deliver its objectives and improve the credibility of the group by helping demonstrate to the landowner why they want to own a particular piece of land and that there is a serious plan in place. Early dialogue between the community group and existing landowner can also help the community understand what aspirations or plans the existing owner may have for their land and help all parties consider how to best meet their needs and aspirations.

RECOMMENDATION

6. With consideration to part 4 of the Land Reform (Scotland) Bill (as introduced), further information and guidance should be developed for communities and landowners on the best ways to engage with each-other and the importance of being clear about who and how local people are represented within the community organisation and able to explain this when engaging with the landowner whether from the public or private sector, and how the community can best approach the landowner in question.

[Note: The SLWG noted that Community Land Scotland and Scottish Land and Estates are starting a piece of joint work to explore these matters in some detail.]

Theme: Engagement

The Scottish Government is supportive of community land ownership because of what it can achieve in terms of its ability to create benefits for the whole community. This is best achieved where there is **wide community engagement and buy-in** to what the ownership of the land can deliver and how this will address community need. It is aspirational to expect that every community will have a unified vision for how they can own land and deliver all the services and benefits that everyone in the area wants, but it is important that any **differences in community aspirations** are

acknowledged and explored through strong community engagement and the democratic structures of the community body to ensure that community land ownership will create benefits for the many and not just the few.

Successful engagement between community bodies, landowners and professionals can help communities fully **understand and appreciate the realities of land ownership** and allow communities to be clear about what they want to undertake. It can also help break down barriers where there may be a **lack of understanding of the different drivers for community land ownership** and this may inhibit willing negotiations. Successful engagement can also help communities understand the landowner's plans and aspirations and contribute to the development of a shared vision for the locality described earlier in this report.

The SLWG found that the quality of support services for community land ownership can vary and that this can be related to the level of understanding of issues that are specific to community land ownership by professionals. There is a need to ensure that all **landowners and professional groups are enabled to fully understand the drivers for community land ownership**. It is important that **professionals understand the issues within their profession that are specific to community land ownership** so that the support services they provide both to communities and landowners are high quality.

4.4 Access to support services

The triggers for community land ownership will present different scenarios for community bodies and as such will require **different types of support at different times**. For example, a community that is exploring the possibility of ownership because local land has suddenly come onto the market is more likely to need intensive support at the start of the process to build capacity and react quickly to the market. A community group that has developed a clear vision and has actively pursued a piece of land to purchase could need less support developing capacity and leadership but may require more support in other areas such as navigating funding options. It is important to understand the range of different scenarios in which communities require support to take on ownership of land or assets and to understand the different needs that arise from these scenarios.

Each community ownership project will have its own challenges. Whilst a similar package of support is needed in most circumstances, **the combination of types and levels of support needs to be tailored** in different ways depending on the nature and timescales of the community ownership project in question.

There is a range of support services available to community groups across the country, but the ease of access and level of support can vary from region to region, most notably in the level of support and funding available

to community groups within the Highland and Islands Enterprise (HIE) area compared to that in the rest of Scotland. Research by the SLWG showed that the same support is not available in the rest of the country from other sources. Some organisations offer support services that communities need to pay for. **The financing of procurement of support services can be a challenge** for groups.

Geography is currently a key determinant to what kind of support aspiring community land owners can access. The most comprehensive support is offered by Highland and Islands Enterprise within its operating area. In other parts of Scotland, communities can access support from a small number of national agencies, intermediary organisations and/or through key funders – but the nature of this support tends to be less comprehensive and accessing it can be difficult to navigate. **Access to responsive, flexible funding and specialist support for communities out-with the HIE area is therefore a resource intensive but necessary pre-requisite for achieving the 1 million acres target.**

A number of communities use their own knowledge/ experience/ research/ personal contacts to help develop community projects. This raises an equalities question of community capacity - how lower capacity communities without access to some of the professional skills and experience needed to drive forward a land ownership project are best supported. **Equal access to support** is not just a question of geography, it also has an equalities dimension which needs to be reflected within any awareness raising activities and support provision.

The speed of decision making is important and not all support organisations can work within the same time scales. For example, whereas HIE can prioritise urgent cases, other organisations may not be able to do this or may have different criteria on what constitutes urgent. This is especially important when communities need to procure services from elsewhere, which can add additional workload and timescales to already fragile projects.

RECOMMENDATIONS

7. Within any approach to meeting the needs of all of Scotland, expertise of the sort HIE has in processing funding support and delivering other resources (e.g. staff) for potential community purchases, together with access to the sort of flexible funds and resources HIE can deploy, will be necessary in the remainder of Scotland as part of further stimulating demand which is capable of final delivery as community ownership.

8. Support services available to communities across Scotland to be able to understand, consider and take opportunities for community ownership of land and assets is patchy, operate at different levels of expertise, are largely uncoordinated, difficult to navigate, and operate on quite limited resources. Support services therefore require to be developed, adequately resourced and better coordinated to meet the needs of communities and to deliver this Strategy's vision. Even in the area with the most developed and consistent delivery of service, the HIE area, it is recognised that HIE's support services cannot be deployed to projects that do not contribute to HIE's organisational objectives.

9. That the Scottish Government should support the delivery of consistent access to appropriate advice and support to communities, available in all parts of Scotland. This should be achieved by more effective partnership working between the Scottish Government, its agencies, the Big Lottery, and existing key support providers within the sector, with the Scottish Government providing the focus for the strategic co-ordination of this effort.

10. That it is recognised that appropriate support for communities should be delivered within the following principles:

- Flexible
- Tailored
- Experienced
- Expert
- Attuned
- Co-ordinated
- Quality
- Continuous,

by partnership of the community, public, third and private sectors.

Theme: Support services

4.5 Network of support providers

Organisations who take on a signposting role tend to have **various levels of understanding of community ownership**. Whilst there is a range of organisations offering many support services, many of these services are largely generic and have limited relevance to the fairly specialist area of community land ownership.

Often the quality of advice given at first point of contact is wholly dependent on the degree to which the organisation, or an individual within that organisation, understands the community land ownership agenda. The SLWG found that there are a number of support services already in existence for community land ownership, covering a range support types, stages in the process and geographical coverage. Some organisations perform a signposting function as part of their remit and are able to point groups to relevant support services that can help. What is often reported however, is that the **landscape of support services is cluttered with no clear single point of access** with comprehensive information for community groups.

How support services resources are best distributed is another important issue. A number of organisations appear to offer different land ownership support services to communities but there is no co-ordination of these. Current support services operate with fairly limited resources and so there are risks to consider over the **duplication of effort, potential gaps and the quality of provision**. In addition, some organisations provide tenure neutral advice to all landowners whilst some focus solely on community owners, this can have both benefits and disadvantages.

There is a **need for current core support providers to work more collaboratively** in order to create a more coherent network of support providers. Formalising the role and relationships between core providers can help promote a more collaborative and strategic approach towards the provision of services, which in turn can help overcome some of the issues created by a convoluted landscape. **Better sharing of best practice** will help to develop networks of support.

RECOMMENDATION

11. The commitment given by the Scottish Government in 2014 within the Programme for Government to develop a dedicated resource within the Scottish Government to promote and facilitate community ownership across the whole of Scotland should be delivered by way of partnership arrangements between the Scottish Government, its agencies, the community owning sector, and other partners, each delivering according to their strengths and with the Scottish Government providing the overall strategic co-ordination.

Themes: Support services, Scottish Government leadership

4.6 Availability of land

If demand is stimulated to such a degree that it could achieve the 1m acre target there needs to be sufficient land available to satisfy this demand. Land is a finite resource and the Scottish Government is clear that **the ownership and use of land in Scotland should be in the public interest and contribute to the collective benefit of the people of Scotland**. The Scottish Government also believes that a growing number of local communities in Scotland should be given the opportunity to own buildings and land which contribute to their community's wellbeing and future development⁶². This is however reliant on **suitable land or assets becoming available**. This can present a significant challenge when land is also required for other purposes. This is a particular issue for public sector owned land and requires the development of a framework to assist public bodies balance the competing demands for a limited supply of land.

In many areas, communities may want to take on ownership of assets in their local area to deliver services to address local needs and deliver local benefits. Often these community led services can reduce or replace the demand for public services and contribute greatly to improving local and national government outcomes. The process of **the transfer of publically owned assets to community ownership is often overly- complicated, inconsistent and unclear**. Whilst a number of local authorities and other public bodies do have asset transfer schemes in place, the Community Empowerment (Scotland) Act 2015 (CEA) makes further provision which strengthens the community position in these processes. In particular the CEA places a duty on public bodies to agree to an asset transfer request from a community group unless they have reasonable grounds for refusal⁶³. Guidance for this provision is currently being developed and will play an important part in making the process of public asset transfer more straightforward and transparent.

RECOMMENDATIONS

12. Scottish Ministers should require all departments and agencies of government to consider how they will support the delivery of this Strategy's vision and contribute towards meeting the target of 1m acres in community ownership, to make plans accordingly, and to report on those plans to the Scottish Government.

⁶² ibid
⁶³

[http://www.scottish.parliament.uk/S4_Bills/Community%20Empowerment%20\(Scotland\)%20Bill/b52s4-introd-pm.pdf](http://www.scottish.parliament.uk/S4_Bills/Community%20Empowerment%20(Scotland)%20Bill/b52s4-introd-pm.pdf) p15.

13. Scottish Ministers should seek to engage with local authorities in Scotland on the role community land ownership can play in helping deliver wider outcomes, and request a clear reference to community ownership and the role local authorities can play in delivering this Strategy's vision and contributing towards meeting the 1m acre target in Single Outcome Agreements, and should consider issuing guidance to local authorities on the matter, if necessary.

Themes: Scottish Government leadership, Increasing supply

4.7 Barriers to the supply of land

The above section considers where the land might come from for communities to own. This section considers what the barriers are to this land passing into community ownership – what might be preventing the land being available for communities to own? A number of these barriers have been identified through research by the James Hutton Institute ⁶⁴.

Community groups may face other barriers in striving to acquire land. These may take the form of some more legal or technical issues around land being available for them to purchase/ take ownership of. One such issue is where a community has identified a piece of land that they wish to own but the **current ownership of the land is unknown, or unclear**. Other examples are where the **ownership rights of a piece of land are divided** or where an identified piece of land currently has **many owners**.

The public sector owns a significant amount of land in Scotland, further details of which can be found in the Land Reform Review Group Report⁶⁵. With this land come a number of **responsibilities and policy drivers** that determine how certain areas of this land are used to deliver policy objectives. Whilst there is a clear policy to support community land ownership and the benefits it can deliver, the decision to transfer publically owned land into community ownership (regardless of the agreed price) **has to take into consideration whether that transfer is in the public interest** in terms of the best possible use of that land for the local and national interest and potentially competing policy interests.

In negotiating potential community land ownership transactions, the relationship between the landowner and community body is critical in ensuring a smooth and productive transaction for both parties. Evidence suggests that some community groups may suffer from a **lack of perceived legitimacy** that can impact on a landowners' willingness to engage with and

⁶⁴ Roberts, D. and Mackee, A.: Exploiting Barriers to Community Land Based Activities (2015): <http://www.gov.scot/Publications/2015/09/5827>

⁶⁵ Land Reform Review Group Final Report (2014): <http://www.gov.scot/Resource/0045/00451597.pdf>

sell land to the community. This can be strongest where community groups have not necessarily communicated their needs and plans well, leading to landowners considering potential income flows from community projects as more risky. This is not an issue that occurs only with privately owned land, it can also be a particular problem with public landowners where there is a need to consider the accountability to the wider tax paying public. It is also often more of a problem for more newly established community groups who do not yet have a proven track record of delivery.

RECOMMENDATIONS

14. The SLWG encourages the Scottish Government and its agencies to continue the positive dialogue with private sector owners regarding their role in helping realise the opportunities that community land ownership can deliver. The SLWG suggests the focus should be on those owners seeking or willing to consider sales of assets to communities. These owners should be supported to help 'broker deals' that are mutually beneficial to all parties.

[Note: As mentioned above some work is underway on addressing how to improve specific attitudes and any misconceptions between the community sector, private owners and importantly the professional advisers that owners use.]

Themes: Engagement, Increasing supply

The original community right to buy legislation from the Land Reform (Scotland) 2003 Act has now been streamlined and made more flexible through amendments in the Community Empowerment (Scotland) Act 2015, which has also extended the right to buy legislation to cover the whole of Scotland. This is planned to be enacted in Spring 2016. This will go some way in making the process easier for communities to use. In gathering evidence on potential barriers to the supply of land for community ownership there was some suggestion that there are some occasions where **misconceptions on the law and policy around community land ownership** exist. In particular, misconceptions about policy intentions and what the legislation can deliver.

The evidence unsurprisingly suggests that the most preferable type of transaction between a landowner and a community body wishing to purchase land is where there is a willing seller. However, the drivers of community land ownership are often market failure and/ or neglect that the community wants to address. Where a community has identified a set of needs that are not being met and the plans of the landowner do not match with this set of needs the situation can arise where a community wants to buy a piece of land but the **owner is unwilling to sell**. This could be for a number of reasons, including retaining land for existing use, future sale, control or potential future development. A connected barrier is where an owner may be willing to sell and a community group are willing to buy but

the **terms of sale are unacceptable** to either party. Most commonly this occurs due to differences in the valuation of the land by the community and by the seller.

Land values can present a barrier to community land ownership in a number of ways. Firstly, for public assets there can sometimes be differences in the book value of an asset and the market value that can restrict the willingness, or ability, of the seller to sell an asset to a community at or below market value. The wider economy has a direct impact on the supply and demand for land and subsequent land values. Macroeconomic changes can increase or decrease the value of land, and the book value of an asset may no longer reflect the current market conditions.

Secondly, there can be confusion around the circumstances in which an asset can be transferred at less than market value. In some cases a community may believe that a less than market value sale should be considered but the seller is asking for full assessed market value. This presents a challenge in determining a price that is acceptable to all parties. Public bodies in particular are often required to obtain best consideration in disposing of their assets, but there are opportunities for these public bodies to dispose of assets at less than best consideration where there are indirect benefits that are not measured directly as part of the valuation process. The Royal Institute of Chartered Surveyors (RICS) have produced guidance for local authorities on disposing of assets at less than best consideration⁶⁶. The Scottish Public Finance Manual was updated to provide greater clarification on the circumstances under which public assets can be disposed of at less than market value⁶⁷. **However, it is apparent that there is still some confusion over when less than market value can be used.**

Thirdly, there are sometimes conditions attached to public asset transfers, such as clawback measures, (particularly where less than market value has been used) that can restrict the ability of a community body to deliver a sustainable business plan.

Although surveyors have professional guidance notes and procedures that they follow to determine the value of an asset, there are some circumstances where the land or property asset in question is unique and there is not an existing market for it. In these cases it can be hard to obtain agreement across all parties on the value of the asset.

Finally, land values vary across the country. Historically community land ownership has been more common in the highlands and islands of Scotland, where land prices are generally cheaper. Recent changes to the community

⁶⁶ <http://www.rics.org/uk/knowledge/guides-advice/local-authority-asset-management/local-authority-asset-management-07-disposal-of-land-at-less-than-best-consideration/>

⁶⁷ [http://www.gov.scot/Topics/Government/Finance/spfm/PropertyManagement#Disposal of Assets](http://www.gov.scot/Topics/Government/Finance/spfm/PropertyManagement#DisposalofAssets)

right to buy legislation and an increased interest in community land ownership in urban areas will place additional pressures on existing and potential funders to fund more expensive projects from a limited pot of resource.

RECOMMENDATION

15. The SLWG encourages the Scottish Government address the issue of valuation within the development of the Community Empowerment (Scotland) Act 2015 statutory guidance, and facilitate a set of further discussions on the above range of valuation issues to explore and seek clarity with relevant valuation professionals, professional bodies, landowners in the public sector, and communities on how the valuation issues outlined above may be addressed.

Themes: engagement, increasing supply

The potential disproportionate liabilities of ownership compared to community benefits can be a significant issue for communities when looking to take on asset ownership. In all cases it is important for communities looking to take on ownership of a piece of land to **be fully clear about both the benefits that it might bring but also the responsibilities and liabilities associated with the land in question.** A community body may have identified a piece of land that they believe will help deliver services to satisfy their needs, but on closer inspection of the liabilities associated with that land decide that they are too great to justify the project (even if the landowners is willing to sell). The majority of assets and land come with some form of liability, however, it is the scale of the risk associated with those liabilities that the community must judge to be appropriate or not.

5. How will we measure success? Methodology

Workstream 2 of the 1 Million Acre Target Short Life Working Group has as one of its deliverable outputs: “A methodology for measuring progress towards the target.”

Initially it was intended that the methodology would solely focus on counting the acreage coming into community landownership until 2020, in order to measure progress towards the target. However, based on discussions both within the Short Life Working Group and with external stakeholders, it has become evident that a more extensive analysis, also incorporating outcomes and impacts, would be deemed to be highly valuable.

RECOMMENDATION

16. A more extensive analysis of the impacts and outcomes of community land ownership would help relay the message that the target is not primarily concerned with the acreage in community ownership *per se*, but with the outcomes communities can achieve once they have taken ownership of this land.

Theme: Monitoring and Evaluating Progress

Therefore, ‘measuring progress’ is proposed to consist of two components:

1. Measuring acreage in order to evaluate progress towards the 1 million acre target; and
2. Measuring and analysing the outcomes resulting from delivering this Strategy’s vision.

5.1 Measuring progress towards 1 million acres

From discussions with stakeholders it emerged that most of them would find it acceptable to be asked to provide a progress update on an annual basis. However, it was noted that public bodies and Local Authorities will already be required to publish an annual asset transfer report under the recently passed Community Empowerment Act.⁶⁸ As the guidance for the CEA is still to be completed, it is recommended that the measurement of progress towards the target is integrated with the reporting requirement under the CEA.

It was also suggested to make (some of the information) on community-owned assets public, for example through an online searchable database and/or visually, through map-based data. For example, see Scene

⁶⁸ Part 5, Section 95.

Consulting's 'Energy Archipelago'⁶⁹ website for an example of a searchable online map-based database. Having information online, accessible to the public, would help not only to raise awareness, but would also allow community groups to include or update their own project.

5.2 Measuring progress – other outcomes

A key issue around the evaluation of projects and policies is the, at times, limited strength and quality of evidence of their effects. In part, this is due to problems of measurement and evaluation criteria not being established from the outset.⁷⁰ It is therefore recommended that evaluation is integrated from the outset and undertaken at several stages (during, on completion and post-completion).⁷¹ However, due to the ever changing policy landscape and integration of policies and agendas, it is recognised it is not always feasible to set out evaluation criteria from the outset.

There is no universally applicable set of indicators that will be appropriate for a particular intervention.⁷² Standardised performance indicators are often desirable, but may not always be useful measures of progress. It is therefore important that the indicators are established consensually, and that there is scope for those participating in, or benefiting from the policy or programme, to define the criteria against which 'success' is measured. Ideally, stakeholders would be involved in the selection of indicators in order to ensure that the indicators incorporate their practices, experiences and priorities.

Data is already being collected on an on-going basis by funders and support agencies (e.g. HIE, BIG). Collaborating with such agencies can help expand the evidence base without increasing the reporting burden on communities. Involving these agencies from the outset can also help to ensure that indicators and outcomes cover all relevant areas whilst also being appropriate and context-specific.

Measuring the benefits resulting from community asset ownership is not easy. A lack of accurate baseline data in the past has been raised as a concern.⁷³ Second, it can be difficult to identify reliable statistical impact measures for many of the benefits associated with community ownership. Communities do not operate in a vacuum, but are part of a much wider

⁶⁹ <http://beta.energyarchipelago.com/#/map>

⁷⁰ Evans (2005) Measure for Measure: Evaluating the Evidence of Culture's Contribution to Regeneration. *Urban Studies*. 42:5/6, 959-983.

⁷¹ Jackson (2005) The Evaluation Toolkit. Belfast: Arts Council of Northern Ireland.

⁷² OPDM (Office of the Deputy Prime Minister) (2003) *assessing the impacts of spatial interventions. Regeneration, renewable and regional development. Main guidance*. London: OPDM.

⁷³ Stakeholder interviews

network of service provision and support, making it difficult to attribute benefits to one organisation or asset.⁷⁴

Finally, outcomes are often not immediate or can fluctuate over time. Some organisations might find that the first few years after acquiring an asset is their ‘honeymoon period’, whereas other organisations might only begin to yield a surplus after acquiring several assets. Other socio-economic as well as environmental impacts are also likely to only be evident after many years. At the other end of the scale there are organisations like the Stornoway Trust who have owned an asset, in this case land, for so long that “even second-hand memories of [the transfer] have faded”.⁷⁵

Recognising these concerns, we have been considering how best to measure progress towards the 1 million acre target. Whilst some methodological issues (i.e. to separate the effects of the asset from other local or national activities) may be difficult to resolve, we believe others can be addressed within the scope of this target.

RECOMMENDATION

17. The SLWG recognise the need for robust baseline data, and would suggest this is improved with continued baseline data collection and analysis and greater collaboration with other funders and agencies to streamline reporting requirements.

Theme: Monitoring and Evaluating Progress

Early engagement with the community regarding their current situation, their aims and how to get there can also help make these evaluations more tangible for the groups involved. Second, we understand the difficulty in choosing reliable indicators that capture the many, diverse, benefits emerging from community ownership. Here, a suite of indicators can help to grasp some of these complexities and help to ensure that relevant outcomes are captured for each type of project. Finally, we appreciate that outcomes are often not immediate or can fluctuate over time. We therefore not only propose improved base-lining, but also more consistent recording of outcomes across time in order to obtain higher quality longitudinal data. However, we are sensitive to the fact that communities may feel overburdened with reporting requirements. We would therefore suggest that greater collaboration with other funders and agencies in order to streamline reporting requirements would be advantageous.

⁷⁴ *ibid*

⁷⁵ Hunter 2012 *From the Low Tide of the Sea to the Highest Mountain Tops*

6. Priorities for action

The overarching recommendations throughout the above sections of the report are designed to support delivery of the 1 million acre target. In turn, the SLWG have identified a list of actions (in Table 2 below) that will be necessary for the recommendations to be delivered in practice. These are the things that the group believe will have an impact on and increase the amount of land in community ownership by 2020 (and beyond).

Table 2: 1 Million Acre Short Life Working Group Identified Actions

Theme	Actions
Raising Awareness (Recommendations 2,3,4)	<p>RA1. Establish a partnership of the SG, HIE, FCS, Big lottery, the community owning sector and other appropriate partners in the land owning and private sectors (e.g. professional bodies) to design and deliver a series of communication and information events to target audiences of communities, public sector agencies, private land owners and their agents across Scotland and over 2016-2020 period initially. This programme should also include well targeted promotional literature. Events should cover what the law provides for, case studies, best practice, the processes, and lessons learnt. As part of the information and communication development a route map of the various options available to community bodies to acquire land should be developed.</p> <p>RA2. Scottish Government to identify current opportunities of support for communities to undertake visioning exercises and to work with delivery partners to explore the potential for providing additional opportunities to communities to undertake further such exercises.</p>
Support Services (Recommendations 5, 6, 7, 8, 9, 10)	<p>SS1. Scottish Government to work with the relevant delivery partners to ensure the level of support in the HIE area is available to communities in other parts of Scotland. The solution needs to harness the experience and expertise that exists within the community-led owning sector and deploy it in support of helping meet the 1M acre target.</p> <p>SS2. Scottish Government to work with delivery partners to provide each community project either in development, and/ or with the potential to take ownership of land or other assets, with a dedicated support link across the phases of their development to aid navigation of the support landscape.</p>

	<p>SS3. Scottish Government to support delivery partners to develop an on-going programme of support for peer to peer ‘buddying’ and mentoring to respond to existing or emerging need/ interest.</p> <p>SS4. Scottish Government and delivery partners to develop and support an on-going series of visit/ exchange opportunities to community ownership projects to improve the understanding of the ‘community advice market’ by professionals offering (or potentially offering) services to communities.</p>
<p>Engagement (Recommendations 4,6,14,15)</p>	<p>E1. Scottish Government to work with delivery partners to develop a programme that allows private sector professionals to become more familiar with community organisations and what they are trying to deliver – exchanges/ familiarisation days / seminars and events etc.</p> <p>E2. Scottish Government to set in place the arrangements for the drawdown of mediation between owners and communities as provided for in the Community Empowerment (Scotland) Act 2015 and as proposed in the current Land Reform Bill</p> <p>E3. Scottish Government work with Scottish Land & Estates and other partners, as appropriate, to deliver an awareness raising and support programme for landowners looking to facilitate and encourage community ownership as part of its Landowners Commitment to work with the community where appropriate to assist in the delivery of its social, economic and environmental aspirations.</p> <p>E4. Scottish Government to work with partners to keep under review options for the development of appropriate codes of practise to aid voluntary discussions between landowners and communities, having regard to the work already underway between Community Land Scotland and Scottish Land and Estates.</p>
<p>Scottish Government Coordination (Recommendations</p>	<p>SGC1. The Scottish Government provide the focus for the strategic co-ordination of effort by establishing and maintaining a high level co-ordinating group, Chaired by the Scottish Government, and with a membership of the sort that has provided input to the</p>

11,12,13)	SLWG, supplemented with additional appropriate partners, to continue to support and co-ordinate actions required by this strategy in the period up to 2020. This group should liaise with the proposed Scottish Land Commission that is proposed in the Land Reform Bill (Scotland) (as introduced).
Increasing Supply (Recommendations 7, 12, 13, 14, 15)	<p>IS1. Scottish Ministers should continue to provide leadership by requiring all departments and agencies of government to consider the contribution they could make to supporting this Strategy’s vision and contribute to meeting the target of 1m acres in community ownership, to make plans accordingly, and to report on those plans to the Scottish Government and high-level coordination group mentioned above.</p> <p>IS2. Scottish Ministers should seek to engage with local authorities in Scotland on the part they can play in delivering the Strategy’s vision and contribution towards the 1M acre target, and seek the inclusion of potential reference within Single Outcome Agreements of the role community land ownership can play in helping deliver wider outcomes, and should consider issuing guidance to local authorities on the matter, if necessary.</p> <p>IS3. Scottish Ministers should seek to engage with the Accounts Commission with a view to them potentially issuing guidance on the appropriate considerations for local authorities in disposing of assets to communities, including State Aid considerations, and having regard to the policy of the SG on the 1M acres, and the desirability for as much consistency between local authorities toward potentially offering land and property to communities at less than market value, particularly with regard to guidance being developed for part 5 of the CEA 2015.</p> <p>IS4. Scottish Ministers should keep the Scottish Public Finance Manual under review to ensure it can assist meeting the Strategy’s vision, while ensuring proper use and accounting for the use of public funds.</p> <p>IS5. Working with others with appropriate expertise the Scottish Government should produce guidance on how public bodies might assess requests to dispose of assets at below market valuation to ensure a</p>

	<p>transparent and consistent approach across public bodies.</p> <p>IS6. Scottish Government and delivery partners should undertake a co-ordinated approach to explore the possibility of reducing transaction costs associated with community land purchases. Develop and roll out a ‘code of conduct / practice’ that all parties and their advisors can agree to - avoiding unnecessary time and cost on each transaction.</p>
<p>Measuring and Evaluating Progress (Recommendations 1, 16, 17)</p>	<p>MEP1. Scottish Government Community Land team liaise with the Community Empowerment team in order to ensure the establishment of a set of reporting guidelines which also capture the information required to measure progress towards the 1 million acre target.</p> <p>MEP2. Scottish Government adopts the methodology agreed by the 1m acre SLWG to produce annual reporting of progress towards the target, including requesting annual updates from organisations not covered by the Community Empowerment Act to ensure that the baseline figure remains up-to-date.</p> <p>MEP3. The measurements will be subject to an annual review process, with advice and input from sector representatives, to assess progress, consider any issues arising from the operation of the measurement. This will form part of the work of the high-level co-ordinating group outlined in SGC1.</p> <p>MEP4. Scottish Government publish a programme of research and evaluation of the community ownership sector and produce a framework of indicators and outcomes to measure success. To develop an online, publicly accessible database of community-owned assets, which can be updated by members of the public.</p>

7. Looking ahead - How will the SG work with partners to deliver the strategy?

The Scottish Government and their officials within the Community Land Team have a vital continuing role to play in:

- providing leadership and strategic co-ordination to ensure the delivery of this strategy;
- securing the arrangements for (or leading) the monitoring and evaluation strategy;
- making the necessary commissioning arrangements to secure the consistent delivery of awareness raising and a package of support services across Scotland, through HIE and others as appropriate;
- securing the strategic co-ordination of the various strands of action required
- working with other partners in the delivery of the strategy;
- setting in place the arrangements for the drawdown of mediation between owners and communities as provided for in the Community Empowerment (Scotland) Act 2015 and as proposed in the current Land Reform Bill;
- continuing to advise communities on the requirements of the various statutes and regulations around the Land Reform Act;
- continuing to administer the requirements for the approval of community bodies, the registrations of interests in land, and applications to Ministers under the various community and crofting right to buy applications, etc.;
- supporting the arrangements for the Scottish Land Fund liaising, as appropriate with delivery partners on programmes to support the community land and asset owning sector, as well as liaising with other Scottish Government officials involved in wider Third Sector strategy.

Annex A – 1 Million Acre Strategy Overview

VISION: A Scotland where a significant increase in the amount of land in community ownership will contribute to a fairer Scotland by helping diversify land ownership and create more sustainable, resilient and empowered communities throughout the country.

Aim	Primary Drivers	Secondary Drivers	Summary of SLWG Recommendations
<div data-bbox="174 580 387 863" style="border: 1px solid black; padding: 5px; text-align: center;"> 1m acres of land in community ownership by 2020 </div>	<div data-bbox="461 363 703 469" style="border: 1px solid black; padding: 5px; text-align: center;"> Increase demand </div> <div data-bbox="461 676 703 782" style="border: 1px solid black; padding: 5px; text-align: center;"> Increase capacity </div> <div data-bbox="461 948 703 1053" style="border: 1px solid black; padding: 5px; text-align: center;"> Increase supply </div>	<div data-bbox="763 331 1005 437" style="border: 1px solid black; padding: 5px; text-align: center;"> Demand for land </div> <div data-bbox="763 437 1005 542" style="border: 1px solid black; padding: 5px; text-align: center;"> Engagement with & within communities </div> <div data-bbox="763 564 1005 670" style="border: 1px solid black; padding: 5px; text-align: center;"> Capacity of communities </div> <div data-bbox="763 670 1005 775" style="border: 1px solid black; padding: 5px; text-align: center;"> Access to support services </div> <div data-bbox="763 775 1005 880" style="border: 1px solid black; padding: 5px; text-align: center;"> Network of support providers </div> <div data-bbox="763 903 1005 1008" style="border: 1px solid black; padding: 5px; text-align: center;"> Availability of land </div> <div data-bbox="763 1008 1005 1114" style="border: 1px solid black; padding: 5px; text-align: center;"> Barriers to the supply of land </div>	<ol style="list-style-type: none"> 1. The Scottish Government, with advice and input from sector representatives, establish an on-going programme of evidence gathering, research and evaluation of the community ownership sector. 2. The lack of consistency and a significant lack of awareness of CLO among communities, landowners and a range of key professionals needs to be addressed across all of Scotland, particularly out-with the Highlands and Islands 3. There needs to be a comprehensive and co-ordinated awareness raising programme of the opportunities of community land ownership 4. It should be recognised that taking a more comprehensive approach to communities owning assets will be significantly enhanced by encouragement and support for community-led visioning and planning, 5. There should be recognition that the existing community ownership sector contains within it considerable insight, understanding, experience and expertise in the processes and best practice around community ownership 6. Further information and guidance should be developed for communities and landowners on the best ways to engage with each-other 7. Expertise of the sort HIE has in processing funding support and delivering other resources (e.g. staff) for potential community purchases, together with access to the sort of flexible funds and resources HIE can deploy, will be necessary in the remainder of Scotland as part of further stimulating demand. 8. Support services require to be developed, adequately resourced and better coordinated to meet the needs of communities and to deliver this Strategy's vision 9. The Scottish Government should support the delivery of consistent access to appropriate advice and support to communities, available in all parts of Scotland. 10. Appropriate support for communities should be flexible, tailored, experienced, expert, attuned, co-ordinated, quality and continuous, utilising the expertise within the community owning sector in key aspects of provision as well as external professional and technical experts where appropriate. 11. Any dedicated resource within the Scottish Government to promote and facilitate community ownership across the whole of Scotland should be delivered by partnership arrangements, each delivering according to their strengths and with the Scottish Government providing the overall strategic co-ordination. 12. Scottish Ministers should require all departments and agencies of government to consider how they will support the delivery of this Strategy's vision and contribute towards meeting the target of 1m acres in community ownership. 13. Scottish Ministers should seek to engage with local authorities in Scotland to request a clear reference to community ownership and the role of community land ownership in delivering wider outcomes in Single Outcome Agreements. 14. The Scottish Government and its agencies should to continue the positive dialogue with private sector owners regarding their role in helping realise the opportunities that community land ownership can deliver. 15. The SLWG encourages the Scottish Government address the issue of valuation within the development of the Community Empowerment (Scotland) Act 2015 statutory guidance, and facilitate a set of further discussions on valuation issues to explore and seek clarity on how the valuation issues outlined may be addressed. 16. A more extensive analysis of the impacts and outcomes of community land ownership would help relay the outcomes communities can achieve once they have taken ownership of this land. 17. Baseline data collection and analysis should continue, with greater collaboration with other funders and agencies to streamline reporting requirements.

PRINCIPLES

1. Increase social justice, fairness and the progressive realisation of human rights; and further the sustainable development of Scotland's land, economy, communities and places.
2. Reduce inequalities through wider access to resources resulting from more community/ diverse land ownership.
3. Supporting communities to realise their aspirations and control their destinies, through increased confidence and cohesion and public support to acquire land and assets.
4. Passing power to more communities through subsidiarity and local decision-making, where communities lead change for themselves.
5. Maximise the collective talents, creativity and determination of communities across Scotland.

Annex B – Organisations contacted for baseline study

Organisations who have contributed data to the baseline study:

- Highlands and Islands Enterprise
- Development Trusts Association
- Big Lottery Fund
- Forestry Commission Scotland
- Scottish Government Community Right to Buy
- Community Woodlands Association
- Plunkett Foundation
- Community Shares Scotland's data obtained through website
- The following Local Authorities:
 - Angus
 - Dundee City
 - East Ayrshire
 - City of Edinburgh
 - Dumfries and Galloway
 - Inverclyde
 - Moray
 - North Ayrshire
 - North Lanarkshire
 - Orkney Islands
 - South Lanarkshire
 - West Dunbartonshire

Organisations contacted for baseline study who do not have data on community ownership

- Scottish Community Alliance
- Local Authorities
 - Glasgow City
 - West Lothian

Organisations contacted for baseline study who have not (yet) responded

- Local Authorities
 - Aberdeen City
 - Aberdeenshire
 - Argyll and Bute
 - Clackmannanshire
 - Comhairle nan Eilean Siar
 - East Dunbartonshire
 - East Lothian
 - East Renfrewshire
 - Falkirk
 - Fife
 - Highland
 - Midlothian
 - Perth and Kinross

- Renfrewshire
- Scottish Borders
- Shetland Islands
- South Ayrshire
- Stirling
- ACES – Association of Chief Estate and Surveyors
- Federation of City Farms and Community
- Scottish Council for Voluntary Organisations
- Crown Estate

Organisations still to be contacted

- Scottish Water (although most assets transfers expected to be picked up in CRTB data)
- MOD (although most assets transfers expected to be picked up in CRTB data)

Annex C – List of external stakeholders consulted in strategy development (in addition to SLWG members)

Workstream 1

Stakeholder workshop, 1 September 2015, Glasgow

The workshop was first in a series of two with a dual purpose. First, to gain stakeholders' feedback on the vision and principles, as proposed by Workstream 1. Second, to obtain feedback and suggestions related to the delivery and feasibility of the changes required to fulfil the principles and vision.

Neil Ritch (Big Lottery Fund)

Pip Tabor (Southern Uplands Partnership)

Liz Hawkins (Rural and Environmental Science Analytical Service, Scottish Government)

Derek Logie (Rural Housing Scotland)

Chris Martin (Ipsos Mori)

Helen Chambers (Inspiring Scotland)

Andrew Paterson (Scottish Community Development Centre)

Derek Rankine (SURF: Scotland's Independent Regeneration Network)

Sarah Skerratt (Scotland's Rural College, SRUC) – Chair and Workstream 1 lead

Stakeholder workshop, 4 September 2015, Inverness

The workshop was second in a series of two with a dual purpose. First, to gain stakeholders' feedback on the vision and principles, as proposed by Workstream 1. Second, to obtain feedback and suggestions related to the delivery and feasibility of the changes required to fulfil the principles and vision.

Sandra Holmes (Highlands and Islands Enterprise)

John Watt (Scottish Land Fund Committee Chair)

Alice Mayne (Cairngorms National Park Authority)

Felix Spittal (Scottish Council for Voluntary Organisations)

David Miller (James Hutton Institute)

Stakeholder interviews, September 2015

A small number of interviews were conducted with individuals who have extensive experience of community land ownership. The purpose of these interviews was to build on the research already done, primarily to enhance clarity on some of the issues identified in the literature. Interviewees were:

Neil Ritch (Big Lottery Fund)

Lorne Macleod (Community Land Scotland)

Rory Dutton (Development Trusts Association Scotland)

Sandra Holmes (Highland and Island Enterprise)

David Johnstone (Scottish Land & Estates)

Workstream 2

Roundtable discussion, 21 April 2015, Edinburgh

The roundtable discussion brought together a range of stakeholders with the aim of defining 'community ownership' for the purpose of measuring progress towards the 1 million acre target. The outcomes of the discussion were put to the overall 1m acre SLWG steering group to decide on the final definition.

Ian Cooke (DTAS) – Chair and workstream 2 lead
John Hollingdale (Community Woodland Association)
Sandra Holmes (Highlands and Islands Enterprise)
John Watt (Scottish Land Fund)
Eric Samuel (Big Lottery Fund)
Colin Gray (Scottish Government)
Norman MacAskill (Scottish Council for Voluntary Organisations)
Peter Peacock (Community Land Scotland)

Workstream 3

Roundtable discussion, 14 July 2015, Lauder

Roundtable discussion with landowners, their representatives and agents to explore real and perceived barriers to the availability of land for community ownership and their experiences of community land ownership.

Tim Barrett (Bidwells)
Martin Andrews (Weymyss & March Estates Management Co)
Jamie Smart (National Farmers Union Scotland)
Helen MacInnes (Chalmers & Co)
Neal Thompson (Edwin Thompson)
Anneka Fraser (CKD Galbraith)
Andrew Brough (Buccleuch Estates)
Mark Fogden (Savills-Smith Gore)
Peter Peacock (Community Land Scotland)
Alan Laidlaw (Crown Estate) – Chair and workstream 3 lead

Workstream 4

Roundtable discussion, 21 April 2015, Edinburgh

The roundtable discussion scoped out what the ideal package of support for community ownership should look like if the level of demand for community ownership is stimulated to a level that would achieve 1m acres of land in community ownership by 2020.

Peter Peacock (Community Land Scotland) – Chair and workstream 4 lead
Bob Frost (Forestry Commission Scotland)
Annie McKee (James Hutton Institute)
Chris Morris (Local Energy Scotland)
David Prescott (Holmehill Community Trust)
Wendy Reid (Development Trusts Association Scotland)
Eric Samuel (Big Lottery Fund)
Angela Williams (Knoydart Foundation)
Jon Hollingdale (Community Woodlands Association)
Sandra Holmes (Highlands and Islands Enterprise)
John Watt (Scottish Land Fund)
Norman MacAskill (Scottish Council for Voluntary Organisations)
Colin Gray (Community Land Team, Scottish Government)



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