COLONSAY COMMUNITY DEVELOPMENT COMPANY

CCDC Board Meeting
27th October 2022

Document Pack

Public

Please note that not all items on the agenda have supporting papers

Confidential items (e.g. relating to staffing) are not published in public

COLONSAY COMMUNITY DEVELOPMENT COMPANY

Board Meeting
Thursday 27 October 2022 – 6:30pm – Colonsay Village Hall and by Zoom

Agenda

1.	6:30 Attendance and apologies	
2.	3:32 Minutes and matters arising	
3.	6:35 Declarations of interest	
4.	6:37 Briefing Note	Dannie
5.	6:40 Scalasaig report	Carrie/ Callum
6.	6.55 Houses lettings policy	Helen
7.	7:05 The Old Manse	Dannie
8.	7:12 E-bikes project	Callum
9.	7:15 Community plan	Caitlin
10.	7:35 Land Reform Consultation response	Dannie
11.	7:45 Arrangements for November public meeting	
12.	7:55 AOCB	

DONM

Private items for separate minute

13.	8:00 Minutes and matters arising	
14.	8:02 Machair Wind	Dannie
15.	8:15 Land acquisition group update	Caitlin
16.	8:20 Draft Accounts	Callum
17.	8:25 AOCB	

COLONSAY COMMUNITY DEVELOPMENT COMPANY

Colonsay Community Development Company Board Meeting

Public Minutes

Thursday 22nd Sept 2022

1. Attendance and Apologies

Board members: Dannie Onn (DO), Sarah Hobhouse(SH) , Callum Hay (CH), Sue Dance (SD), William Joll (WJ), Andrew Abrahams (AA)

Community Planning Officer: Caitlin McNeill (CM)

Project Co-ordinators: Lizzie Keenaghan (LK),

Apologies: Liam McNeill (LM), Helen Mann (HM), Lesley McInnes (LMcI)

Also present: Clare Hay (minutes)

2. Minutes and Matters Arising.

The minutes were accepted and signed by DO. There were no matters arising not covered in the agenda.

3. Declarations of Interest

LK: croft matters

4. Change of Director

Darragh Keenaghan (DK) had offered to help with CCDC's energy related projects. DO said it seemed a good idea to have DK on the board. LM was happy to step dow , but DO thought it better that he stayed for the moment. DO proposed that DK be co-opted as a director. CH seconded the proposal. The board unanimously agreed so DK will come to the next meeting as a director.

5. Briefing Note

DO introduced the briefing note and asked if there were any questions. CH asked why the island profiling was delayed. DO said it was a matter of timing in that it might make more sense to ministers if it linked to NPF4 and worked in with the next phase, the local place plan.

(Item 8 was taken next as LK needed to leave after it and did so)

6. Scalasaig report. (note: part of the report relating to drainage and the electricity supply was taken in private)

There has been a project meeting. The road construction is not finalised as it is connected to the unresolved drainage issues. The banner to be displayed at the Scalasaig site giving information about the development was being printed. Draft allocation policies were due to be released.

The steel frames for the business units are one month behind schedule.

There were no questions on the report.

7. Scalasaig Phase 2

It is anticipated that Scalasaig Phase 2 will help with the funding issues in Phase 1. It will include drainage and power over the whole site. DO asked if the board agreed to begin to deliver Phase 2 in terms of pulling together necessary information to plan the work and review funding.

The board agreed unanimously.

8. Old Manse

LK presented key points of her report on the survey. The majority of respondents wished to see the building as a rented home, specifically for existing island residents or to attract key new residents. It was noted that comments from existing and previous occupants clearly identified a need to bring the building up to acceptable standards.

The majority also wanted the surrounding land to be used for additional flexible accommodation, though there were many challenges to overcome to do this. These included limitations due to the capacity of the septic tank and overhead powerlines. Other ideas included a business unit to go with the property. The simplest idea was to landscape it.

There was a discussion about how to approach the work. DO said it must be defined and treated as a project, what should be included, when would it be done, where would funding come from. CH said it was important to define the scope and priority of the renovations, the damp was a big issue and the cost to do all needed would be significant.

The board accepted all the report's recommendations unanimously.

9. Community Plan

A draft of the community plan had been sent out to the board. CM asked the directors to study it and to make suggestions to help finalise it for presentation. The project section was not as yet complete and some other pages were missing. CM suggested that directors should feed back to her in a week. CM would incorporate suggestions and revisions, prior to another review after which it should be ready to issue to the community. CH would assist with the monitoring and review section of the plan. It was key that the plan should be delivered via well defined projects. DO said that all stakeholders would be consulted. CM said she had checked for evidence of support for funding required.

10. E-bike trial

DO declared an interest as an e-bike owner. It was noted that the e-bike trial was included in the community plan. CH said the funder was very keen to ensure that small communities are provided with all the equipment required. CH said that Colonsay Boards and Bikes would be invited to run the project for CCDC and would receive a management fee for that. The project was a good fit with net zero and health objectives among others. There was a discussion. It was noted that the bike company had been short of equipment this summer. CH undertook to work on the bid with Jen and Matt, as it had to be submitted by mid November. After three years CCDC would own the bikes. The need to identify support for the trial was noted. CH would design and issue a survey.

The recommendations in CH's report were unanimously agreed by the board.

11. Crofts

The third share lettings of the common grazing at Port Mor had come through. It was agreed that all crofters should have the same rights over croft land as over common grazing, in that they should be on the same leasing terms. CM would investigate and come back with more info.

12. Open Board Meetings.

It had been proposed that the CCDC returns to having some board meetings open to the public. There was some discussion over how many per year and how the business should be organised. The board agreed that the November meeting should be open to the public (apart from items which had to be taken in private due to confidentiality).

13. AOCB

The issue of whether Crown Estate funding would be involved in developing the place plan was discussed. A briefing had been sent round by Community Land.

DONM

Thursday 27th Oct in the village hall (probably 6pm though DO would consult the board regarding the timing and length of the meeting)

COLONSAY COMMUNITY DEVELOPMENT COMPANY

Board meeting 27 October 2022

GENERAL BRIEFING NOTE

Campsite

Chris Jewell has been working on site constructing the campsite's composting loos. There are cost pressures and, so far, Islands Infrastructure Fund say no more money is available despite inflation and rising fuel and material costs. Work is still to be done before spring, including potwash, water tank cladding etc. Planning permission, advertising & preparation for operation remain with the campsite owner, as per the development agreement.

Moorings

On Gael Force Marine's advice, and with our contingency sum from HIE remaining, we're opting to buy chain risers to switch in with MOWI's help next spring. Apparently whether chain or rope is more suitable is very site specific, and Gael Force (based on Moldives' report) recommend chains. No response yet from Colonsay Estate on meeting to discuss path/ signage. Crown Estate annual rent invoice came in for £400 - despite funding to get set up, CCDC does still have running costs and so it'll be important next year to get as many payments as possible from yachts using them. A full report on costs and usage will be prepared for the next board meeting.

Community Council

As you may know, Argyll and Bute will convene an inaugural meeting of the newly elected community council on Thursday this week. The new council offers the opportunity to work more closely with the development company in terms of identifying what needs to be done to support the community and how the identified needs can be met. Our director Willie Joll is one of the new councillors as is Clare Hay, our minute taker. We will ensure there are no conflicts of interest, but look forward to greater co-operation between the two main community bodies

Port Mor

Following contact with the agents for WHHA, we understand that the decrofting of the site is still not cleared by the Crofting Commission. They tell us that funding issues have been addressed and that they are now increasingly confident of a start next Spring.

Dannie Onn

COLONSAY COMMUNITY DEVELOPMENT COMPANY

PROJECT REPORT – Scalasaig Development

Project	Scalasaig Development			
Report Compiled by	Caroline Seymour			
Reporting Period	Oct 2022			
Project Status	Previous Status:		Current Status:	

1. SUMMARY OF ACTIVITY SINCE LAST REPORT

TSL Progress:

(From Contractor's Report)

Plots 7/8

Kit has been erected and the roof trusses fixed, we are currently fixing the roof sheets and velux windows to the roof with the gutters in place.

The windows and doors are fixed, and the external superstructure blockwork is 100% complete

Internally we have fitted the timber battens and ground floor flooring complete with the downstairs partition walls ready for the electrician, plumber and I mist to first fix

Upstairs we are ready for the electrician, plumber and I mist

Plot 9

Kit is erected, and the superstructure blockwork has started

Windows and doors are fitted, the joiners will be progressing with roof sheets when they complete on 7/8

Internal floors and partitions have been erected ready for service fitters

Plot 10/11

Kit erected, and doors and windows have been installed

We had a small problem with the door heights in the two porches, but this has been identified and Scotframe providing 2 new panels to ensure doors fit snugly

Joiners will start on roof sheets when they complete on plot 9

Plots 1 to 4

Following discussions with Premier Guarantee and the Engineers, plots 1 to 4 are having to be redesigned as Raft Foundations. We are waiting on further designs and from the Engineers

before being able to proceed with any further works to these plots. We are hopeful of designs in the next week in order to procure materials and plan operations.

Services Installations

Programmed 2nd week November for Electricians and Plumbers to commence First fix, I Mist programmed Early Dec.

Business Units

We are waiting on fabrication drawings that will include the setting out of holding down bolts, these are now due wc 31st Oct in order to allow placement of foundations.

Other TSL Matters:

- Road Construction Consent – in progress, permission expected soon.
- SEPA – Phase 1 design accepted, percolation tests ongoing
- SSEN – No update, still awaiting quotation in December
- BT – have advised to proceed on copper, but ducting can hold fibre optic as well. 13amp socket required for fibre optic.
- Structural Steel (Business Units) – fabrication drawings still not complete, are expected next week. It is thought that there will be no steel on site this year, so no construction until 2023.

Latest Programme of Works indicates that the housing will be finished by August 2023 and the business units by June 2023.

Non TSL Matters:

Brief questionnaires were issued to those on the Scalasaig housing list. This is to get an up-to-date picture of the type of tenure that is required. Of the responses received so far, it is showing an overwhelming preference for rental.

Callum has arranged an update meeting for 9th November with all funders and stakeholders to further discuss the financial risk on the project.

Positive responses were received back from my email regarding the street name for the new housing to be Faire Mor. I did receive one email questioning the gaelic grammar for the name suggesting that the street would be translated into “big lookout”. I don’t see a problem with this, it sounds quite cool!

2. KEY ISSUES

None

COLONSAY COMMUNITY DEVELOPMENT COMPANY

PROJECT REPORT – Scalasaig Development

3. FORMAL APPROVALS / DECISIONS REQUIRED

Approve street name

4. NEXT REPORTING PERIOD ACTIVITIES

- Continue review of energy solution for housing
- Continue with grant applications
- Progress Marketing and Allocations policies for Housing and Business Units

5. APPENDICES

None

COLONSAY COMMUNITY DEVELOPMENT COMPANY

E-Bike Project - Update

Report to CCDC Board – 27th October 2022

Background

This report provides an update on progress, following outline approval at the September meeting.

Survey Results

An on-line survey was launched on the Facebook Community page on 19th October, and a flyer/reminder sent to all households. An interim extract from survey results (as 5pm Tuesday 25th) is summarised at **Appendix A**. The survey is due to close on Friday 28th October but a clear pattern is already emerging.

Although there may still be responses to come, the overall reaction has been enthusiastic and suggests there are enough residents interested in trialling a e-bike for a project to run, and to justify a bid for funding.

The survey also provides useful pointers to the types of bike and equipment to buy for the trials. This has allowed development of a cost estimate (**Appendix B**) and an indicative loan / hire schedule (**Appendix C**).

Benefits / Risks

Project benefits were set out in the September report. The risks at this stage are as follows:

- Project costs are estimated to be c. £15k as set out in **Appendix B** of which only 75% will be met by Transport Scotland. It may be difficult to secure match funding for the remaining 25% in the time available. Transport Scotland have confirmed they do not require match funding to be confirmed at the time of the bid, but would only make a conditional offer until such time as the remaining 25% can be confirmed. In practice, match funding would have to be secured by around mid-January 2023 to give time for funds to be spent and equipment delivered by the 31st March funding deadline. This may prove challenging.
- While the survey response is encouraging (100% of respondents want to take part, and the responses represent c. 17% of the resident population, so far) actual numbers are low. While Transport Scotland are keen to reach remote/rural communities like Colonsay, the numbers may not be seen as providing value for money against other competing bids.

The risk is that the bid is unsuccessful for either of the reasons set out above. If we're unsuccessful it would be very disappointing, but there would be no major impact for CCDC or Colonsay Bikes and Boards.

If funding bids are successful a full business case, project plan and risk assessment will be drawn up and presented to the Board prior to any final decision being made.

Recommendation to the Board

It is recommended that the Board:

1. Agree to develop this project further, and submit formal bids to Transport Scotland and other bodies (for match funding) in collaboration with CBB
2. Receive an Update in December or January, reporting progress and funding bid status for a decision to proceed with the project, or not. A formal delivery project will be set up if it is agreed to go ahead.

Callum Hay – Director

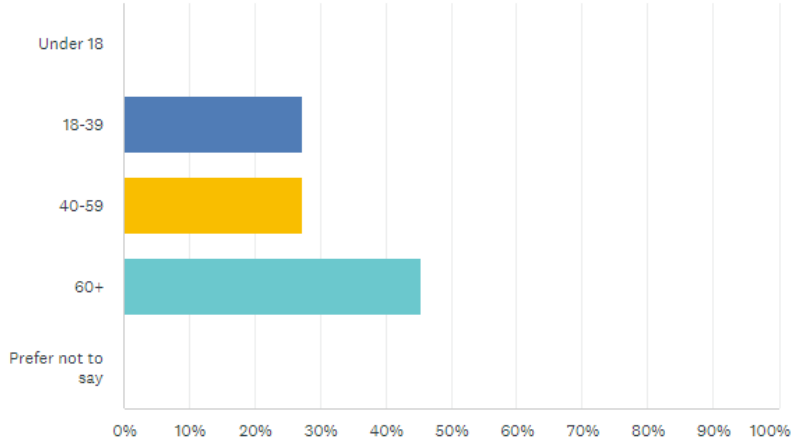
October 2022

Appendix A

Interim survey results @ 25th October 2022 (extract)

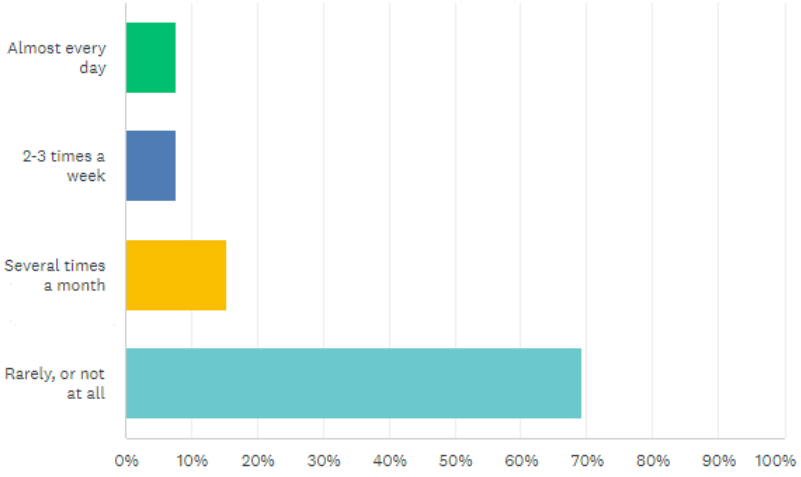
What's your age group?

Answered: 22 Skipped: 0



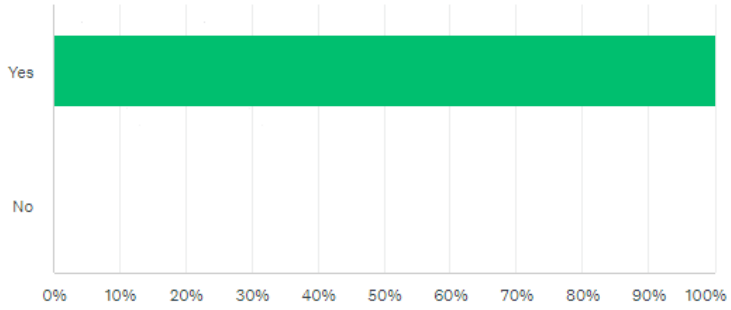
If you already own a bike, how often do you use it?

Answered: 13 Skipped: 9



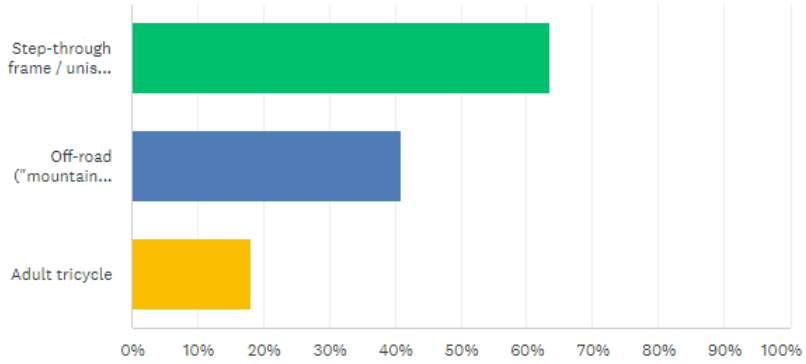
Would you be interested in a free trial of an e-bike on Colonsay, for 2-3 weeks?

Answered: 22 Skipped: 0



What type of e-bike would you be interested in? (check all that apply)

Answered: 22 Skipped: 0

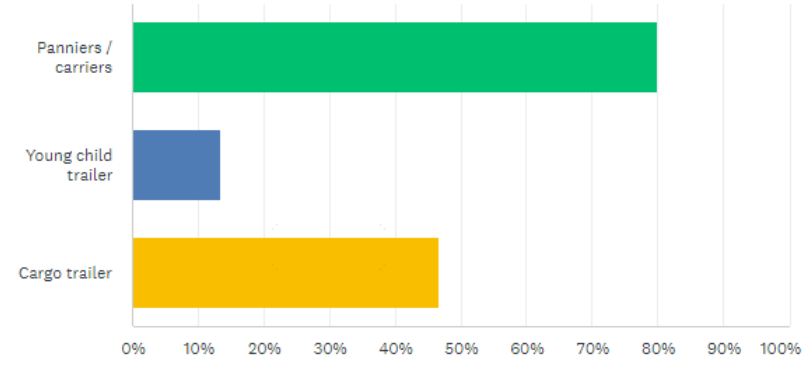


ANSWER CHOICES	RESPONSES	
Step-through frame / unisex, with a bit of off-road capability	63.64%	14
Off-road ("mountain bike")	40.91%	9
Adult tricycle	18.18%	4
Total Respondents: 22		

4

Which, if any, of these extras would you be interested in? (check all that apply)

Answered: 15 Skipped: 7



ANSWER CHOICES	RESPONSES	
Panniers / carriers	80.00%	12
Young child trailer	13.33%	2
Cargo trailer	46.67%	7
Total Respondents: 15		

Appendix B

Colonsay Community Development Company

EST / Transport Scotland e-bike Scheme

Costs		ex-VAT	No.		Total		Example	
Unisex, step-through hybrid e-bike		£ 1,500	2	£	3,000.00		Eskute	https://eskute.co.uk/products/polluno-pro
Off-road e-bike		£ 1,667	2	£	3,333.33		Eskute	https://eskute.co.uk/products/netuno-pro
Adult e-tricycle (fat tyre)		£ 2,500	1	£	2,500.00			
Cargo trailer		£ 292	2	£	583.33			
Child trailer		£ 292	1	£	291.67			
Kit of spares		£ 1,456	1	£	1,455.83		see separate tab	
Equipment (helmets, hi-vis etc)		£ 1,588	1	£	1,587.50		see separate tab	
Delivery to Colonsay (Hebrides)		£ 500	1	£	500.00			
Extended guarantee		£ 500	1	£	500.00	tbc		
Contingencies (e-bike availability, inflation, currency fluctuations)	7.5%	£ 1,031	1	£	1,031.38			
			Total	**£**	**14,783.04**			
			Transport Scotland / EST (75%)	£	11,087.28			
			Match funding to find (25%)	£	3,695.76			
			Match funding	£	3,695.76			

Funded from (example):

CCDC in kind contribution (4 hrs. month / 36 months / £9.50 hr)	£ 1,368.00	£	-	
A N Other fund 1		£	1,250.00	
A N Other fund 2		£	1,250.00	
A N Other fund 3		£	1,195.76	balance
		£	3,695.76	

Appendix C

Colonsay Community Development Company

E-Bike trials
Indicative loan and hire schedule: 2023/24

4 week period (commencing)	20 Mar 23	17 Apr 23	15 May 23	12 Jun 23	10 Jul 23	07 Aug 23	04 Sep 23	02 Oct 23	30 Oct 23	27 Nov 23	25 Dec 23	22 Jan 24	19 Feb 24
Hybrid e-bike 1	Loan 1	Loan 2	Loan 3	Loan 4	*Tourist*	*Tourist*	Loan 5	Loan 6	on demand	Maintenance / Repair		on demand	*Tour / demand*
Hybrid e-bike 2	Loan 1	Loan 2	Loan 3	Loan 4	*Tourist*	*Tourist*	Loan 5	Loan 6	on demand	Maintenance / Repair		on demand	*Tour / demand*
Off Road e-bike 1	Loan 1	Loan 2	Loan 3	*Tourist*	Loan 4	*Tourist*	Loan 5	Loan 6	on demand	Maintenance / Repair		on demand	*Tour / demand*
Off Road e-bike 2	Loan 1	Loan 2	Loan 3	*Tourist*	Loan 4	*Tourist*	Loan 5	Loan 6	on demand	Maintenance / Repair		on demand	*Tour / demand*
e-Tricycle (Adult)	Loan 1	Loan 2	Loan 3	Loan 4	*Tourist*	*Tourist*	Loan 5	Loan 6	on demand	Maintenance / Repair		on demand	*Tour / demand*
Residents - 4 week loan	5	5	5	3	2	0	5	5	5	0	0	5	2.5
cumulative	5	10	15	18	20	20	25	30	35	35	35	40	42.5
Tourists - 3-day hires	0	0	0	8	12	20	0	0	0	0	0	0	0
Residents fee	£ -	£ -	£ -	£ -	£ -	£ -	£ -	£ -	£ -	£ -	£ -	£ -	£ -
Tourist hire fee (3 days)	£ 150	£ 150	£ 150	£ 150	£ 150	£ 150	£ 150	£ 150	£ 150	£ 150	£ 150	£ 150	£ 150
Projected income	£ -	£ -	£ -	£ 1,200	£ 1,800	£ 3,000	£ -	£ -	£ -	£ -	£ -	£ -	£ -
Residents loans (weeks)	20	20	20	12	8	0	20	20	20	0	0	20	10
Tourist hires (3-day hire, wks)	0.0	0.0	0.0	3.4	5.1	8.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Note: all resident participants in 1st phase expected to have started first trial of an e-bike by mid July 2023

Projected tourist income 2023/24 **£ 6,000**

Total resident usage (weeks) - max 170 **91%**
Total tourist hires (weeks) - max 17.1 **9%**

Cargo Trailer 1
Cargo Trailer 2
Child Trailer

Trailers provided on-demand with other loans / hires according to availability - arrangements tbc

Notes:

Loan 2	A coloured block shows 4-week loan of an e-bike to a resident
Tourist	A grey block shows limited tourist hires, to recover operating costs. Assumes 4 x 3 day hires, in a 4-week period
on demand	No formal block booking planned from mid November. Ad-hoc arrangements, or a new schedule developed if required
Loan 5	From about Loan 5, the cycle will repeat and residents can either extend their loan or try a different type of e-bike depending on preference / demand

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Community Plan 2022/32 - current draft

Report to CCDC Board – 27th October 2022

The current draft plan can be viewed on-line here:

https://www.canva.com/design/DAFNhXOsN0g/H3r_XwRBq-oY4pU1rOwNWA/view?utm_content=DAFNhXOsN0g&utm_campaign=designshare&utm_medium=link2&utm_source=sharebutton

The draft plan can be downloaded from here (c. 45MB download)

Colonsay&Oransay ComPlan (1).pdf

COLONSAY COMMUNITY DEVELOPMENT COMPANY

Board meeting 27 October 2022

BOARD PAPER: LAND REFORM IN A NET ZERO NATION – SG CONSULTATION

Background

Following the board paper in August, the consultation period was extended until the end of October. This paper introduces the draft response and invites directors to consider and approve its submission, with or without modifications.

Details of the consultation can be found at Land Reform in a Net Zero Nation - Scottish Government - Citizen Space (consult.gov.scot)

If Colonsay Estate is included as a large-scale landholding, they could be obliged to:

- comply with the LRRS and associated protocols, which might include enforcement where local bodies have a role. Information on the LRRS can be found at https://www.gov.scot/publications/scottish-land-rights-responsibilities-statement
- produce a Land Management Plan, which could involve community engagement
- notify the community of a sale
- register their land

These matters appear to be relevant to the land ownership situation on Colonsay and could have a beneficial impact on the community here.

The attached draft response covers those areas where the work of CCDC might be affected by the new legislation. In particular, the legislation could improve the transparency of a majority land owner's operation. That should make the planning and development of community projects easier. It could also encourage closer working with Colonsay Estate towards a shared community ambition.

Recommendations

That the board considers the draft and any amendments.

That the chair will submit an agreed response before the deadline of 30 October.

Dannie Onn

Land Reform in a Net Zero Nation

Respondent Information Form

Please Note this form **must** be completed and returned with your response.

To find out how we handle your personal data, please see our privacy policy: https://www.gov.scot/privacy/

Are you responding as an individual or an organisation?

☐ Individual

☒ Organisation

Full name or organisation's name

Colonsay Community Development Company

Phone number 01951200244

Address

Colonsay Village Hall, Scalasaig, Isle of Colonsay

Postcode PA61 7YR

Email Address Contactccdc1@gmail.com

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

☒ Publish response with name

☐ Publish response only (without name)

☐ Do not publish response

Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

☒ Yes

☐ No

Questions

Criteria for large-scale landholdings

Q1. Do you agree or disagree with the criteria proposed for classifying landholdings as ‘large-scale’:

a) A fixed threshold of 3,000 hectares — Disagree
b) Land that accounts for more than a fixed percentage of a data zone (or adjacent data zones) or local authority ward(s) designated as an Accessible Rural Area or Remote Rural Area, through our six-fold urban/rural classification scheme — Agree
c) Land that accounts for more than a specified minimum proportion of a permanently inhabited island — Agree

Please give some reasons for your answer and outline any additional criteria:

The ownership of a large proportion of the land on a small island can lead to a disproportionate influence on the development of the island and the operation of the community. We say that the landholding should be in aggregate and should include all land where an individual or family has a controlling interest.

Q2. Do you agree or disagree that family farms should be exempt from the proposals outlined in Parts 5 to 7 even if they are classified as a ‘large-scale’ landholding?

Disagree

Please give some reasons for your answer:

Agree provided they are a single farming business. However, not where they are a constituent part of a larger landholding with other businesses and uses.

Q3. Do you think that the proposals considered in this consultation should be applied to the urban context?

Don't know

Please give some reasons for your answer:

Colonsay has no urban context

Strengthening the Land Rights and Responsibilities Statement

Q4. We propose that there should be a duty on large-scale landowners to comply with the Land Rights and Responsibility Statement and its associated protocols. Do you agree or disagree with this proposal?

Agree

Please give some reasons for your answer:

The duties and responsibilities should be compulsory and not voluntary. This would provide certainty for the landowner and clarity for the community. Without this communities cannot plan their sustainable development with confidence.

Q5. If there was a legal duty on large-scale landowners to comply with the Land Rights and Responsibility Statement and its associated protocols, we propose that this should be enforced by having a formal procedure for raising complaints, and by making provisions for independent adjudication and enforcement.

a) Do you agree or disagree with the proposal above?

Agree

Please give some reasons for your answer:

All good regulations need a means of enforcement. The best way to ensure this is to give the right complain to responsible community bodies.

b) Do you agree or disagree that only constituted organisations that have a connection to the local area or the natural environment should be able to report breaches of the Land Rights and Responsibility Statement?

Agree

Should these constituted organisations have a remit on:

- Community — Agree
- Charity — Don't know
- Public service — Don't know

Please provide some reasons for your answers and any additional suggestions:

The constituted organisations should be charitable

c) Do you think the responsibility for investigating and dealing with complaints should sit with:

- the Scottish Government — Yes
- a public body (such as the Scottish Land Commission) — Don't know

Please provide some reasons for your answers and any additional suggestions:

The ultimate responsibility should be with the Scottish Government, but that may be delegated to a public body or ombudsman.

d) Should the potential outcome from an investigation of a breach be:

- Recommendation for a mediation process No
- Recommendation on how the landowner or governing body could comply with the Codes of Practice/protocols Yes
- A direction to the landowner or governing body to implement changes to operational and/or management practices Yes

Please provide some reasons for your answers and any additional suggestions:

Mediation could delay the process and is more appropriate to dispute resolution than non-compliance with a legal requirement.

There should be a staged approach: recommendations; direction, fines.

e) Should the enforcement powers for a breach be:

- Financial penalties Yes
- 'Cross-compliance' penalties Don't know

Please provide some reasons for your answers and any additional suggestions:

Q6. Do you think the proposal to make the Land Rights and Responsibility Statement and its associated protocols a legal duty for large-scale landowners would benefit the local community?

Yes

Please give some reasons for your answer:

A small community such as ours with a large scale landowner struggles to plan for a sustainable community with no recognition of responsibilities from the landowner.

Q7. Do you have any other comments on the proposal to make the Land Rights and Responsibility Statement and its associated protocols a legal duty for large-scale landowners?

Compulsory Land Management Plans

Q8. We propose that there should be a duty on large-scale landowners to publish Management Plans. Do you agree or disagree with this proposal?

Agree

Please give some reasons for your answer:

They would provide an effective way to ensure landowners comply with the LRRS. The plans should include relevant principles for repopulation, affordable housing, transition to net zero, etc in accordance with National policy and local community planning.

Q9. How frequently do you think Management Plans should be published?

5 yearly with annual update report

Q10. Should Management Plans include information on:

- Land Rights and Responsibility Statement compliance
  Yes
- Community engagement Yes
- Emission reduction plans Don’t know
- Nature restoration Don’t know
- Revenue from carbon offsetting/carbon credits Don’t know
- Plans for developments/activities that will contribute to local and inclusive economic development or community wealth building
  Yes

Please provide some reasons for your answers and any additional suggestions:

The plans should be clear on how the needs of the community have been taken into account and where the community might benefit from the landowner’s plans. The impacts on emissions, nature and carbon (amongst other things) will depend on the management plan proposals.

Q11. Do you think the responsibility for enforcing compulsory land management plans should sit with:

- the Scottish Government Yes
- a public body (such as the Scottish Land Commission)

  Yes / No / Don’t know

Please provide some reasons for your answers and any additional suggestions:

The ultimate responsibility should be with the Scottish Government, but that may be delegated to a public body.

Q12. Do you think the proposal to make Management Plans a legal duty for large-scale landowners would benefit the local community?

Yes

Please give some reasons for your answer:

They would provide clarity for organisations dedicated to promoting a sustainable community.

Q13. Do you have any other comments on the proposal to make Management Plans a legal duty for large-scale landowners?

Regulating the market in large-scale land transfers: a new Public Interest Test, and a requirement to notify an intention to sell

Q14. We propose that a public interest test should be applied to transactions of large-scale landholdings. Do you agree or disagree with this proposal?

Agree

Please give some reasons for your answer:

This should include transfers of shares, transfers within or between trusts, on inheritance and conferred options.

Q15. What do you think would be the advantages and/or disadvantages of applying a public interest test to transactions of large-scale landholdings?

Whilst recognising the need of landowners to be able to dispose of their land, the opportunities to frustrate necessary community ownership should be removed.

Q16. Do you think the public interest test should be applied to:

Don’t know

Please give some reasons for your answer:

Q17. If the public interest test was applied to the seller, do you think the test should be considered as part of the conveyancing process?

Don’t know

Please give some reasons for your answer:

Q18. Do you think that all types of large-scale landholding transactions (including transfers of shares and transfers within or between trusts) should be in scope for a public interest test?

Yes

Please give some reasons for your answer:

Q19. We have proposed that if a public interest test applied to the seller concluded there was a strong public interest in reducing scale/concentration, then the conditions placed on the sale of the land could include:

i. The land in question should be split into lots and could not be sold to (or acquired by) one party as a whole unit

ii. The land, in whole, or in part, should be offered to constituted community bodies in the area, and the sale can only proceed if the bodies consulted, after a period of time, indicate that they do not wish to proceed with the sale

Do you agree or disagree with these conditions?

- Condition i. Agree
- Condition ii. Agree

Please give some reasons for your answer and suggest any additional conditions:

Q20. Do you think that a breach of the Lands Right and Responsibilities Statement should be taken into account when determining the outcome of a public interest test?

Don't know

Please give some reasons for your answer:

Q21. Do you think that a public interest test should take into account steps taken in the past by a seller to:

a) Diversify ownership Don't know

b) Use their Management Plan to engage with community bodies over opportunities to lease or acquire land Don't know

Please give some reasons for your answers:

c) What time period do you think this should cover?

Q22. Do you think the responsibility for administering the public interest test should sit with:

- the Scottish Government Yes / No / Don't know
- a public body (such as the Scottish Land Commission)

Yes / No / Don't know

Please provide some reasons for your answers and any additional suggestions:

Q23. Do you think the proposal that a public interest test should be applied to transactions of large-scale landholdings would benefit the local community?

Yes

Please give some reasons for your answer:

It would identify transactions which were not in the community interest.

Q24. Do you have any other comments on the proposal that a public interest test should be applied to transactions of large-scale landholdings?

Q25. We propose that landowners selling large-scale landholdings should give notice to community bodies (and others listed on a register compiled for the purpose) that they intend to sell.

a) Do you agree or disagree with the proposal above?

Agree

Please give some reasons for your answer:

Communities should be made aware of planned sales to allow them the opportunity to consider acquisition in accordance with their plans to strengthen the sustainability of their community.

b) Do you agree or disagree that there should be a notice period of 30 days for the community body or bodies to inform the landowner whether they are interested in purchasing the land?

Agree

Please give some reasons for your answer:

60 days would be better, but organised communities could be prepared for the eventuality. Could the legislation include that the Scottish Land Commission provide a fund for assisting acquisition subject to criteria?

c) If the community body or bodies notifies the landowner that they wish to purchase the land during the notice period, then the community body or bodies should have 6 months to negotiate the terms of the purchase and secure funding. Do you agree or disagree with this proposal?

Agree

Please give some reasons for your answer:

Q26. Do you have any other comments on the proposal that landowners selling large-scale landholdings should give notice to community bodies that they intend to sell?

New conditions on those in receipt of public funding for land based activity

Q27. We propose the following eligibility requirements for landowners to receive public funding from the Scottish Government for land based activity:

i. All land, regardless of size, must be registered in the Land Register of Scotland.
ii. Large-scale landowners must demonstrate they comply with the Land Rights and Responsibility Statement and have an up to date Land Management Plan.

Do you agree or disagree with these requirements?

a) Requirement i. Agree

b) Requirement ii. Agree

Please give some reasons for your answers:

Unregistered land allows confusion over ownerships and the responsibilities that go with it.

Compliance with LRRS and having a LMP would be a requirement and withholding funding a sanction that would encourage compliance.

Q28. Do you have any other comments on the proposals outlined above?

Land Use Tenancy

Q29. Do you agree or disagree with our proposal that there should be a Land Use Tenancy to allow people to undertake a range of land management activities?

Agree

Please give some reasons for your answers:

Q30. Are there any land management activities you think should not be included within a Land Use Tenancy?

Q31. Do you think that wider land use opportunities relating to diversification, such as renewable energy and agri-tourism, should be part of a Land Use Tenancy?

Yes

Please give some reasons for your answers:

To encourage other uses of land that meet with planning requirements and government policy

Q32. Do you agree or disagree that a tenant farmer or a small landholder should, with the agreement of their landlord, have the ability to move their agricultural tenancy into a new Land Use Tenancy without having to bring their current lease to an end?

Agree

Please give some reasons for your answers:

Q33. Do you agree or disagree that when a tenant farmer or small landholders' tenancy is due to come to an end that the tenant and their landlord should be able to change the tenancy into a Land Use Tenancy without going through the process of waygo, with parties retaining their rights?

Don't know

Please give some reasons for your answers:

Q34. How do you think the rent for a Land Use Tenancy should be calculated?

Q35. Would you use a Land Use Tenancy if you had access to a similar range of future Scottish Government payments which other kinds of land managers may receive?

Don’t know

Please give some reasons for your answers:

Q36. Do you think that there should be guidance to help a tenant and their landlord to agree and manage a Land Use Tenancy?

Don’t know

Please give some reasons for your answers and outline who you think should be responsible for writing and managing the guidance:

Q37. Do you think there should be a process to manage disputes between a tenant of a Land Use Tenancy and their landlord?

Don’t know

Please give some reasons for your answers and outline how this process could be managed:

Q38. Do you agree or disagree that tenants of a Land Use Tenancy and their landlords should be able to resolve their legal disputes in relation to the tenancy through the Scottish Land Court?

Don’t know

Please give some reasons for your answers and outline additional ways in which disputes could be resolved:

Q39. Do you have any other comments on our proposal for a Land Use Tenancy?

No

Please give some reasons for your answers:

Small landholdings

Q40. Would you like to be kept informed via email about the Small Landholding Consultation for the Land Reform Bill?

No

Transparency: Who owns, controls and benefits from Scotland's Land

Q41. Do you agree or disagree with our proposal to explore:

- Who should be able to acquire large-scale landholdings in Scotland

  Agree

- The possibility of introducing a requirement that those seeking to acquire large-scale landholdings in Scotland need to be registered in an EU member state or in the UK for tax purposes

  Don't know

Please give some reasons for your answers:

To avoid future large scale holdings by absentee landlords.

Other land related reforms

Q42. Do you have any views on what the future role of taxation could be to support land reform?

Q43. How do you think the Scottish Government could use investment from natural capital to maximise:

a) community benefit

b) national benefit

Q44. Do you have any additional ideas or proposals for Land Reform in Scotland?

Improve the community right to buy legislation to make them fit for purpose in bringing more land and assets into regulated community ownership.

Assessing impact

Q45. Are you aware of any examples of how the proposals in this consultation might impact, positively or negatively, on island communities in a way that is different from the impact on mainland areas?

Island communities need increased protection because the scope for land to enhance community sustainability is constrained. The proposals to include relatively small majority landholdings would benefit Colonsay by improving the opportunity to acquire land at a realistic value where it can be shown to be in the public interest and necessary for a sustainable community.

Q46. Are you aware of any examples of particular current or future impacts, positive or negative, on young people, (children, pupils, and young adults up to the age of 26) of any aspect of the proposals in this consultation?

Q47. Are you aware of any examples of how the proposals in this consultation may impact, either positively or negatively, on those with protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation)?

Q48. Are you aware of any examples of potential impacts, either positive or negative, that you consider any of the proposals in this consultation may have on the environment?

Q49. Are you aware of any examples of how the proposals in this consultation might impact, positively or negatively, on groups or areas at socioeconomic disadvantage (such as income, low wealth or area deprivation)?

Q50. Are you aware of any potential costs and burdens that you think may arise as a result of the proposals within this consultation?

Q51. Are you aware of any impacts, positive or negative, of the proposals in this consultation on data protection or privacy?