Land and Local Government: A SURF Event Outcomes Paper

About this paper

This is a brief summary of the **main learning outcomes** from a **People and Sector Connector** event organised by SURF as part of its **Alliance for Action** programme. The participants were **local government officers**, from across Scotland, who hold responsibilities for place-based regeneration. The event featured a constructive discussion around local government perspectives on **community land ownership** and the wider **land reform** agenda informed by **new SURF research** on that theme for the Scottish Land Commission.

Event details

The half-day event was held in the CoSLA Centre, Edinburgh, on 25 September 2019. The format featured four presentations, open discussion, and a networking lunch.

There were **25 participants** from **14 local authorities**, including community development workers, regeneration officers, planners, solicitors, and estates surveyors. Representatives from the Scottish Land Commission, Community Land Scotland, and CoSLA were also in attendance.

The event was chaired by **Andy Milne**, Chief Executive of SURF. The key speakers were:

- **Dr Elaine Cooper**, Development & Learning at SURF, on 'Beyond the Echo Chambers': research into views on land reform in economically challenged urban communities.
- **Kirsty Tait**, Community Engagement Officer at the Scottish Land Commission, on the evolving policy and practice landscape for land reform.
- **Suzy Goodsir**, Chief Executive of Greener Kirkcaldy, on a case study community land ownership initiative in Fife.
- **Derek Rankine**, Policy Manager at SURF, on the Alliance for Action programme.

Five Takeaways: Learning Outcomes in Brief

1. ***Putting more land into community ownership could help poorer communities.*** There was general agreement among participants that transferring ownership of land and buildings to community groups can lead to significant physical, social and economic benefits for Scotland's poorer places. Several participants cited a number of successful community ownership initiatives that they were familiar with.

   Such initiatives can:
   - empower communities to address deep-rooted regeneration challenges;
   - productively reuse abandoned buildings and derelict land;
   - deliver locally valuable services, training and employment;
   - improve pride of place and enhance a sense of community.

   Community ownership projects align strongly with current policy objectives for inclusive economic growth and enhanced place-based partnership working. In this context, the Scottish Government's current aspiration to 'normalise' community land ownership – to make it a more commonplace activity in all parts of Scotland – was welcomed.

2. ***The resources landscape needs to change fundamentally if land reform aspirations are to be realised.*** Participants shared strong concerns that the infrastructure is not in place to sustainably transfer land and building assets to community groups.

   Many community organisations lack the required capacity. Some projects require both capital investments and ongoing public or third sector grant support in delivery, which may not be available to support 'normalisation' through a considerably expanded suite of projects. Some participants reported that budget pressures are incentivising local authorities to transfer assets to community groups, even when there are concerns that the latter may lack the skills and resources to manage them effectively.

   Council staff would benefit from more training on how to engage effectively with community groups. A discussion indicated wide disparity on this, with some local authorities active in providing dedicated training programmes, while others are not.

3. ***Expectations on Councils are unrealistic – and lack of knowledge about the complexities of asset transfer processes is widespread.*** Asset transfer requests are multifaceted and highly difficult for local authorities to deal with, requiring large investments of time across several departments. Some felt that, in general, politicians, policy-makers and community representatives lacked full awareness of the demands an application places on already overburdened local government staff.

   SURF research for the Scottish Land Commission indicated that there are widespread assumptions from residents of poorer communities that all local land and property ownership, planning, use and guidance responsibilities lie solely with Councils. In many respects, these assumptions are not accurate.

   A policy landscape that encourages more requests being made, without addressing the resource challenge for local government, are likely to lead to backlogs, unreasonable delays and mounting frustration on all sides. Community groups often underestimate the

demands an ownership project involve, and promoting these demands via case studies could lead to more closely considered, higher quality applications.

4. ***Sustainable leadership is the elephant in the room.*** Successful community land ownership stories are not uncommon, and the Scottish Land Commission, Community Land Scotland and the SURF Awards process regularly showcase strong projects. But these successes often depend on a particularly motivated leading project manager, or a small and dedicated group of volunteers.

   When this project manager, or key volunteers move on, or there is change in personal circumstance, the project can quickly unravel. Public policy does not presently appear to adequately recognise this problem. Enhanced training and mentoring support for community organisations that own land and buildings could reduce the risks.

5. ***Community ownership only occasionally provides an ideal outcome.*** Community groups in poorer places often want to know who owns significant local land and buildings, and how they can be better utilised for wider community benefits. They do not necessarily want to take on ownership. Participants felt that pushing community ownership as the preferred solution is highly problematic.

   There was, however, recognition that most policies and resources around land reform and community empowerment are designed to support positive change, not to increase community ownership at all costs. The replacing of an arbitrary 'one million acres of Scotland in community ownership' national policy agenda with a more flexible 'normalisation' approach was viewed as a positive development.

   A linked challenge is the growing expectations placed on poorer communities. Residents are more likely to have their door knocked regularly to request participation in local regeneration activities, while in middle class communities the same demands are not made. The expectation that more people with busy lives and poverty-related challenges should be expected to take on additional volunteering responsibilities to support community ownership initiatives may not be reasonable or realistic.

Presentation Summary: Beyond the Echo Chambers

The opening speaker, Dr Elaine Cooper (SURF) spoke about SURF's work to support the Land Commission in looking at the reality of urban communities' views and experience of land planning, management and access. She cited a parliamentary statement by Roseanna Cunningham, the Cabinet Secretary for Environment, Climate Change and Land Reform as exemplifying what's at the heart of land reform policy.

> *"Land is vital to Scotland's inclusive and sustainable economic growth and to social justice. Despite that, our relationship with land is unbalanced and has been for hundreds of years. Too much of our land is still owned by too few people; too much of our land—in both rural and urban areas—is unproductive; and too few of us are able to influence decisions about the use and management of land.*

Addressing those issues is at the core of the Scottish Government's land reform agenda." [1]

The *Land and Communities: Beyond the Echo Chambers* report was based on constructive, cross sector reality check discussions in three different urban communities where SURF had a pre-existing established relationship, based on its *Alliance for Action* programme.

Findings from those discussions then informed a national event, where the reality check conversations formed the basis for a broader debate with representatives from national organisations. Relevant issues discussed included the concepts of power; democracy and the place principle; the realities of community empowerment; and the need for enhanced transparency and education.

Elaine reported that, with very few exceptions, there was broad consensus on issues raised at local and national level. National bodies and community event participants agreed on many of the challenges faced. These included:

- Genuine misunderstandings and confusion about existing protocols, rights and responsibilities and, crucially, mistaken assumptions about what others needed and wanted.
- A recognition of the difficulties that austerity pressures on local government have created undermining their ability to play a full role in supporting development and planning role.

Elaine said the research found:

- It was expensive and time consuming to track down titles and conform to planning criteria.
- Well-meant protocols and principles are open to misinterpretation, even among professionals, and applying the 'letter of the law' does not always ensure that the spirit of the law is enacted.
- Local authorities can struggle to promote one goal when they may be simultaneously owners, planners and developers.
- There is pressure to 'unload liabilities', rather than plan cooperative developments designed to meet local needs.
- Communities can mistakenly assume that it is straightforward to apply interventions such as compulsory purchase orders.
- It's often assumed that the local authority is the majority owner of vacant land and buildings, in ignorance of the large numbers owned by other public sector agencies, and some of those with priorities in conflict with local development plans and aspirations.
- Misguided perceptions of power, influence and needs are common.
- There was a positive response to the aspirations of the land reform policy and to a more cooperative development of urban land ownership and use, with support for genuine collaborations between land planners, owners and users.

Elaine reported that that the research includes practical and pragmatic suggestions which can be read in the report which can be accessed on SURF's website.

She concluded by reminding her audience that at the heart of the land and communities policy was the drive to reduce inequalities. Therefore, investment has to be strategic because a universal application of these new principles and policies would inevitably benefit better off

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[1] Official Report: Meeting of the Scottish Parliament, 21 March 2019, Debate on Land Reform. Available at: http://www.parliament.scot/parliamentarybusiness/report.aspx?r=12012&mode=html#iob_108705

communities disproportionately. Resources needed to be targeted at those poorer communities, which were most in need and least listened to.

The event featured contributions from four speakers, including SURF's Dr Elaine Cooper

Land Reform in Context

Kirsty Tait, the Scottish land Commission's Community Engagement Advisor provided background on the Scottish Land Commission (SLC) and their policy priorities. The SLC's broad remit is to advise on Land Reform but an important additional role is in changing custom and practice on the ground through the implementation of the **Land Rights and Responsibilities Statement.**[2]

Kirsty was keen to emphasise that the SLC work is not only concerned with rural Scotland. Three of the four key areas under review: Land for Housing and Development; Modernising Land ownership; and Land Use Decision-making were as relevant to urban as rural communities (the fourth is Agricultural Holdings)

The implementation of the Land Rights and Responsibilities Statement necessitated a broad range of interests and activities – not least because it applied to all rural and urban land, buildings and infrastructure.

The SLC was examining the impact of climate change – given that its effects were already being widely experienced – and reviewing housing land allocation. A housing crisis was being exacerbated by a lack of land available for new families and an aging population. The SLC was also looking at the future of Common Good Land.

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[2] Available on the Scottish Government website: https://www.gov.scot/publications/scottish-land-rights-responsibilities-statement/

The SLC, together with the Scottish Environment Protection Agency (SEPA), have established a Vacant and Derelict Land (VDL) Taskforce. Its statement of intent included: reviews of a better use of data; promoting a joined up approach to prioritising VDL sites; influencing corporate culture to be more socially responsible as a way of preventing more sites being abandoned and a demonstration of effective delivery and support provision to make changes possible.
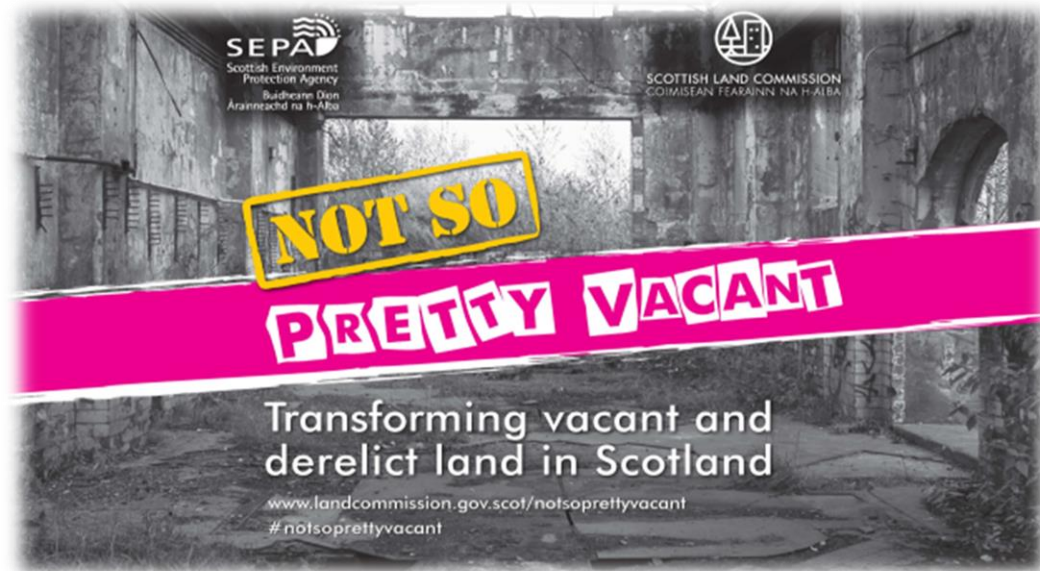
SLC and SEPA operate a taskforce for bringing vacant and derelict Scottish land back into use

Kirsty said research had demonstrated the harmful effects VDL has on health, the environment, the community and the economy.

The Scottish Government had stated that community ownership of land and assets was integral to empowered and resilient communities and should be more normal across Scotland, both in urban and rural areas. It was the SLC's role to find the most practical ways of implementing that.

The SLC's key recommendations towards normalising community ownership were:

- Embed it into place planning;
- Relate to outcomes sought;
- Further developed support;
- Make negotiated transfer the norm;
- Improve financing mechanisms.

Case Study: Greener Kirkcaldy

Suzy Goodsir, Chief Executive of Greener Kirkcaldy, presented an overview of the community group's background and activities, and its particular perspective in undertaking a community ownership land transfer.

Greener Kirkcaldy was started in 2009 by a group of volunteers in Kirkcaldy in Fife, which is one of the participating places in SURF's *Alliance for Action* initiative. It is a Development Trust that combines three aims and values – environmental sustainability, social justice and community development. It employs 20 staff and engages 50 volunteers in the delivery of a range of services, including energy advice, employability support, cooking workshops, a community garden and training centre, and a bike borrowing scheme.

A number of key services are delivered from a single hub in Kirkcaldy town centre. Soon after development, the project team realised that premises were required that had suitable interior and garden spaces, and good public transport access. Suzy reported that Fife Council were generally supportive in working with the volunteers to identify suitable sites, but there were some difficulties in engaging with the Property Services team, who were initially unresponsive.

A former library was identified as an ideal building for several core services, including a community kitchen and events space, in 2011. It went on the market in 2012. Development Trusts Association Scotland and other partners helped in preparing the submission of an offer on the open market, for which £190k was raised via the Scottish Land Fund, and a further £702k from the National Lottery Community Fund for renovation.

Greener Kirkcaldy's community hub features offices, kitchens, training and events spaces, and a pop-up community cafe.

The asset transfer process took three years, and a further three years were required on post-acquisition renovation. The process wouldn't have been possible without the vision, tenacity and extensive voluntary time provided by the Board. The extensive community effort proved worthwhile, and since a big launch event in May 2019, the new hub on 8 East Fergus Place has achieved a footfall in excess of 1000 per month.

A resource for the whole community, the hub has brought local people together and improved wellbeing. The project would not have been able to achieve all of its ambitions without taking on ownership of land and buildings. It is a case study of what can be achieved when a community group is empowered by local authorities and funding agencies to truly make a difference. [3]

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[3] More information on Greener Kirkcaldy is available on the organisation's website: www.greenerkirkcaldy.org.uk

SURF's Alliance for Action Programme

Derek Rankine, SURF's Policy Manager, provided a brief overview of SURF's place-based programme, the *Alliance for Action*. Participating places were used to research views and perspectives on land reform in economically challenged urban communities for the *Beyond the Echo Chambers* report.

The *Alliance for Action* started with a research exercise into the lived experience of how the recession impacted on multiply-deprived Scottish communities. Entitled Reality, Resources, Resilience: Regeneration in a Recession, the study was funded by the Joseph Rowntree Foundation in 2011-13.[4] The two focal communities for that research were Govan in Glasgow and the Gallatown neighbourhood in Kirkcaldy.

There was a lot of interest in the work from SURF partners from all sectors. Derek explained that SURF decided to build on this by creating an *Alliance for Action* in 2013 with those who were keen to work with SURF to look at how they could do more to respond to recessionary challenges.

SURF was interested in exploring major regeneration changes at three levels – in a growing policy emphasis on community led activity, in local authorities which have reduced regeneration budgets and rising demands, and at the national level, where we have an increasingly complex landscape of policies and resources.
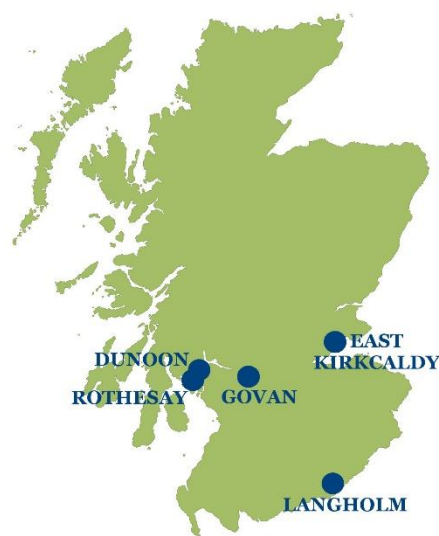
The objective of the *Alliance for Action* programme is two-fold. Firstly, to support improved regeneration outcomes in specific socially and economically challenged places by SURF acting as an intermediary between community, local government and national agency partners working to locally identified priorities. Secondly, to understand more about how policies, resources and players are currently interacting in different places.

The main funders of the programme over the current 2018-21 period are the Scottish Government's Regeneration Unit and the National Lottery Community Fund.

The programme currently has five sites (pictured right): Govan, East Kirkcaldy, Dunoon, Rothesay and Langholm, ranging from post-industrial urban areas to island, coastal and rural towns across different parts of the country. This variety helps SURF understand more about how regeneration policies and resources are playing out in different contexts.

The Alliance for Action has five participating sites

Derek provided an example of the kind of interventions we support in one of the sites, **Langholm**, a small town in Dumfries and Galloway which was built around the textile industry, and which has a population of around 2000.

Langholm has been facing big challenges in recent years with the continual loss of employers including care homes, the Edinburgh Woollen Mill, a big construction firm, and banks and local farms. It also has an ageing population, vacant buildings, poor transport connections and, with

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[4] SURF's final '*Reality, Resources, Resilience*' project report is available on the Joseph Rowntree Foundation website: https://www.jrf.org.uk/report/reality-resources-resilience-regeneration-recession

80 active community organisation, some challenging community politics that can hinder effective collaboration across community led activity.

In late 2017, SURF delivered a six-month *Alliance for Action* feasibility study, and there was a strong appetite within the town to join the programme. Last year, SURF recruited a part-time Local Facilitator on a two-year contract, Peter Renwick. Peter is managing and supporting a number of initiatives, including a community action plan process, a tourism initiative, a shopfront improvement programme, and an initiative exploring social enterprise uses of former industrial buildings, all aimed at supporting the town's economic future.

In addition to local support, Derek explained that SURF also delivers cross-site projects as part of the Alliance for Action programme. One of these is the People and Sector Connector Service. This is designed to provide a useful learning, networking and policy influencing opportunity to local government officers with responsibilities for any aspect of place-based regeneration.

Each gathering will explore a different theme – such as land use and ownership – based on learning outcomes from *Alliance for Action* areas. He said that an outcomes report will be produced and shared with policy-makers and the SURF network. The purpose of the events series, he said, is to help us all better understand and respond to emerging challenges and opportunities in a challenging and changing context for policy and practice in place-based regeneration.

The Dumfries & Galloway town of Langholm is one of the places participating in SURF's Alliance for Action programme

Further Information

Some links to further reading follow:

Land and Communities: Beyond the Echo Chambers (SURF, 2019)

Scottish Land Rights & Responsibilities Statement (Scottish Government, 2017).

Community Ownership: Recommendations to Scottish Ministers (Scottish Land Commission, 2018).

SURF's Alliance for Action: 2018-21 Overview (SURF, 2018).

Community Land Ownership Case Studies (Community Land Scotland).

About the People and Sector Connector Service

As part of its Alliance for Action programme, SURF provides a People and Sector Connector Service on an ongoing basis to regeneration-related practitioners and decision-makers in local government.

The service is intended to support regeneration policy enhancements in the current turbulent context in which local authority regeneration functions have been affected by funding cuts and departmental restructures.

SURF's approach is designed to share knowledge of 'what works' in community regeneration, and provide networking opportunities across sectors and geographies, as part of an ongoing, informal and bespoke developmental process. This event was delivered as part of the People and Sector Connector Service. Further information on how to get involved is available on our website.

SURF's *Alliance for Action* programme for 2018-21 is supported by the Scottish Government and the National Lottery Community Fund.

End of report

Dr Elaine Cooper, Derek Rankine & Emma Scott, SURF
6 November 2019