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## **Re-writing the rulebook of landownership: analysing and assessing the economics of community landownership**

### ***Main objectives and context***

This project aimed to develop understanding around the most innovative and – in a Western context – unusual form of landownership: community ownership, enshrined in Scottish law since 2003.

Scotland has the most concentrated patterns of landownership in Europe, with large swathes of privately owned land in a relatively small number of hands. In addition, the state – via a range of agencies (e.g. Forestry Commission Scotland, the Crown Estate) – is a major landowner, as are charitable bodies and conservation charities. Scotland has also – somewhat counterintuitively – long been a major site for land reform in a UK context, with legislation dating back to the 1880s. In the early 1990s, a handful of communities worked together to buy out private landowners, entirely unassisted by legislation (Isle of Eigg and Assynt being among the most famous), and after devolution, the new Scottish Government passed legislation to define and support this model, enshrining it in law. In 2016, these provisions were extended (for the first time) to urban Scotland, and a new Scottish Land Commission established. Loosely partnered with this legislation is the Community Empowerment Act 2015. There has never been a better time, therefore, to help communities, government and wider society understand how this model works and how to measure its performance.

The development of the community landowning sector since 2003 has been startling, although between 2006-7 and 2015 there was something of a hiatus, which led directly to the rise of our key partner on this project, Community Land Scotland [CLS] and the push for new land reform legislation. There is now rapid development in the sector and this project aimed to develop a more rigorous appraisal model for the growing body of community owners and trusts in Scotland. Working with CLS, the membership organization that represents community landowners, this project operated through collaborative and co-productive methods. The project has involved academics from a variety of disciplines and a number of institutions in a highly effective and



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productive collaboration with a community-oriented organisation and its component community groups. Many individuals and groups who have worked on community ownership/land reform issues have long despaired of the lack of academic interest in, let alone direct involvement with, community landowning. This project represents, therefore, a constructive departure in that regard and will lead to further such collaborations. To that extent, quite apart from the significance of what's been accomplished in a community ownership context, the project has been a positive example of exactly the sort of processes SUII exists to encourage – all the more so because of its non-Central-Belt focus.

It firstly captured and described the current model that is community landowning, its features and values, and how it functions. It then developed a rigorous set of criteria for the appraisal of the performance of community-owned land. The initial intention of the project was to focus particularly on economic and financial performance, but this quickly broadened out to include environmental, social/cultural and governance performance. The innovation focus of this project came, therefore, in both the area of study and the structure of the activities.

This project, working in close partnership with Community Land Scotland, **aimed** to:

- Define the key issues through collaborative and interdisciplinary discussion, via three regional roundtable discussion events (Western Isles, Argyll and Highland) plus a programme of seven interviews (with Stornoway Trust, Galson Estate, West Harris, Isle of Eigg, Knoydart Foundation, Assynt Foundation, Isle of Jura Development Trust).
- Capture and describe the current economic model(s) on which community landowning is based, its features, values and characteristics, and how it functions;
- Make both international and historical comparisons in order to place the Scottish experience in a wider context, enable the exchange of best practice and experience and embed innovative thinking at the heart of this project;
- Develop a rigorous set of criteria for the appraisal of the socio-economic development performance of community owned land. This project aimed to map out ways in which to describe community ownership outwith the confines of traditional economic models for land ownership, where it is most innovative in aim and approach.



The principal outcomes planned from the project are both policy and practice focused and include:

- A document, including (1) a report from the mapping exercise, outlining current economic activities/models used on community owned land; (2) a set of new, independent and rigorous criteria, developed through a process of consultation with community landowning groups themselves, against which the innovative economic models of community owned land might be judged;
- A briefing paper, to share best practice from the outcomes in the policy/political and third sectors. This will be particularly valuable to the work on the new Scottish Land Commission, when it comes into existence in 2016.

### ***An account of the insights resulting from the programme***

As we might expect in a project focused on innovation, we were able to capture a number of insights, some intended/expected and others unexpected.

- Firstly, although by no means definitively, we have been able to move towards a description of what community landowning is, and what its characteristics and values are (see attached documentation); and that it differs from most other models of landowning (i.e. private, governmental, NGO) due to its governance systems and philosophies/aims.
- Secondly, the project was initially intended to focus primarily on the economic indicators for measuring success (as per our project title); however, as discussions with the CLS membership developed it became clear that they saw their purpose and functions in much broader terms. We have tried to reflect this in our criteria document, organising it along four themes – economic, social, environmental and governance. Essentially, the insight learned was that community landowning cannot be defined purely in economic or financial terms, or indeed through traditional models of landownership.
- Thirdly, one of the key insights derived from this project has been the difficulty/opportunity of setting up an assessment system for a sector which contains a great deal of variation within it. Some community landowners are multi-million pound commercial operations; others are small crofting estates; others still are a few acres of community woodland. Developing a set of assessment criteria that are general or flexible enough to apply to all sizes/maturity-age, while remaining specific enough to be genuinely useful was one of the key challenges of the project.



### ***Main outcomes and (expected) impact***

Our **main outcomes** map quite closely to what we planned in our application, although the format of these has changed somewhat. Our key outcomes are:

- Completion of three regional roundtables (held in Stornoway, Oban and Inverness), which hosted a total of 36 attendees; and seven in-depth interviews. All recordings and transcripts have been completed and stored.
- Completion of a literature review on community landownership, including literature summaries and full references/bibliography.
- A combined report and appraisal document including (1) a discussion of definitions/values and characteristics of community landowning and current economic activities/models used on community owned land, constituting a practice-based output and (2) a set of new, independent and rigorous criteria against which the innovative economic models for community owned land might be judged; building in impact for both policy and practice.
- A policy briefing paper, summarizing our mapping exercise and appraisal document in order to share best practice from the outcomes for current and future policy and practice, particularly in government/policy makers/civil service and the key agencies engaged with community landownership (e.g. Scottish Land Fund, HIE).
- A plan for future activities, including (1) a pilot scheme: now we have a set of criteria, we will pilot these with one (perhaps two) community landowners, to test (1) how useful the criteria actually are and (2) the best methods by which to collect and then collate/analyse the data/information that community trusts provide.

The **anticipated impact and routes to this impact** from this project are as follows:

- The key impact of this project will come from the ways in which our appraisal and policy documents will be absorbed and used as templates by both CLS and the Scottish Government in the process of assessment and extension of community landholding in the wake of the 2016 Land Reform Act.
- The route to this impact will consist of our project team and referees, which includes civil servants, key agencies such as CLS and academics, and via our participants and audience, who are all committed to the development and extension of community ownership.



***Key recommendations for end user / policy communities***

The key recommendations for our end users (i.e. community landowning trusts) are embodied in our criteria document (see attached), and so fundamentally our recommendation is that these criteria are piloted and then rolled out across the community landowning sector over the next 12 months. This will allow CLS and the Scottish Government to begin to build an accurate and detailed picture of the range of activities being undertaken across the country by community landowners, and generate an evidence base for discussion and debate around community landownership as a model being expanded and supported in Scotland.

***Planned follow up activities***

- Presentation at Scottish Parliament event, (28 November 2016) to highlight the outcomes to our fellow SUII projects, MSP and policy makers, organised by SUII.
- Presentation to the next CLS AGM and conference on project progress (April/May 2017).
- To pilot the assessment criteria with one (perhaps two) community landowners with a view to refining both the criteria and the methodologies of application and later collation and analysis. We will be working closely with CLS on this pilot, and have made connections with American researchers undertaking a similar exercise on community woodlands, who have devised a mobile app via which owners can submit annually answers to various performance criteria.

