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5 October 2023

Dear Edward,

**Net Zero, Energy and Transport Committee - Scottish Government priorities relevant to the Committee's remit**

Following my evidence session on Tuesday, 19 September I committed to write to the NZET Committee with the following information below.

Full details of the questions and subjects below.

**When the Review of the Community Empowerment (Scotland) Act 2015 will be made available.**

**Further information**

The Community Empowerment (Scotland) Act 2015 has provided a legal framework to promote and encourage community empowerment and participation, creating new rights for community bodies and placing new duties on public authorities.

The Programme for Government 2021/22 committed to review the Community Empowerment (Scotland) Act 2015 and a review was launched by Tom Arthur, Minister for Community Wealth and Public Finance at Glenurquhart Community Hub on 21 July 2022.

The review will consider how we can give local communities more of a say over how local public assets are used – whether that is taking on the ownership or management of land or buildings, delivery of services to members of their community, or greater engagement with the public sector to have more say in how services are delivered, assets are used and resources are allocated. Work to review the Community Empowerment (Scotland) Act 2015 is currently underway and is due to conclude in the early part of 2024 when a report will be made available.

**Could you confirm that all the Community Right to Buy have ended up being able to stand on their own two feet with their assets and, if not, how much does it cost the government to fund them on an annual basis to allow them to do so?**

### **Further information**

The Scottish Land Fund supports rural and urban communities to become more resilient and sustainable through the ownership and management of land and land assets (irrespective of whether or not they have secured ownership through the use of Community Right to Buy legislation). The Fund requires applicants who meet the eligibility criteria to show that “Any land or building acquired must be capable of delivering a level of income which ensures it does not become a liability for the community in the long term.” The Fund does not provide revenue funding to meet core running costs on an ongoing basis.

Applicants may be eligible to apply for support via Scottish Government, health board, local authority or agency-funded programmes and grants. Information on grants awarded through the various programmes is publicly available (for example the National Lottery Community Fund publishes a list of SG-funded programmes and individual awards made with on its website).

The operating costs of community owned assets, post acquisition, are often funded by a combination of operating income, grants, donations and fund raising activities. All of these are used to a greater or lesser degree across the wide range of assets. A community’s ability to “stand on their own two feet” is assessed at the time of the application to the land fund (or whichever body is awarded the grant to purchase the asset). To date, I am not aware of any community groups that have had to fold and sell the asset as a result.

**In relation to the Circular Economy (Scotland) Bill, we also note that the Cabinet Secretary undertook to confirm in writing if the Island Communities Impact Assessment has been published and whether Scottish Government has highlighted within that what changes may be needed to the Islands Plan.**

### **Further information**

The Island Communities Impact Screening Assessment for the Circular Economy (Scotland) Bill has been published and is available here [Circular Economy Bill: island communities impact assessment - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/circular-economy-bill-island-communities-impact-assessment/pages/1-to-4.aspx). The Assessment identified three key ways in which the island communities may be impacted differently to other parts of Scotland because of the Bill proposals, these were consumer choice, transport and storage. The Circular Economy Bill includes a range of enabling powers and certainty on how the proposals are implemented will come after further consultation. The Scottish Government is committed to working closely with local authorities and householders in the co-design of these proposals and to undertake further Island Community Impact Assessments for the relevant regulations which will include consideration of the Islands Plan. The Assessment identified three key ways in which the island communities may be impacted differently to other parts of Scotland because of the Bill proposals, these were consumer choice, transport and storage. The Circular Economy Bill includes a range of enabling powers and certainty on how the proposals are implemented will come after further consultation. The Scottish Government is committed to working closely with local authorities and householders in the co-design of these proposals and to undertake further Island Community Impact Assessments for the relevant regulations which will include consideration of the Islands Plan.

## **Crown Estate Scotland**

Can I also take this opportunity to clarify a statement I made where I indicated that Crown Estate Scotland own the Scottish Crown Estate assets. It should be noted that the assets are owned by the Monarch 'in right of the Crown', with management responsibility sitting with Scottish Ministers who in turn delegate to Crown Estate Scotland.

I hope this information is helpful to the Committee.

Yours sincerely,

**MAIRI GOUGEON**