

Local Pilots Scheme Criteria & Process - consultation report

June 2018

The public consultation regarding our Local Pilots Scheme Criteria & Process was published on the website on 5 March 2018. The consultation was originally scheduled to close on 16 April but this was extended by one week at the request of stakeholders.

The final Local Pilots Scheme Criteria & Process document can found [here](#).

Responses received

Thirteen responses were received from both organisations and individuals. A range of local authority, environmental and social interests represented their views and all who confirmed that their response could be made public are now listed on the website. They include:

- Argyll and Bute Council
- Clyde Fishermen's Association
- Comhairle Nan Eilean Siar
- Community Land Scotland
- COSLA
- Development Trusts Association Scotland
- Flora and Fauna International
- Highland Council
- Orkney Islands Council
- Tomintoul & Glenlivet Development Trust
- Scottish Fishermen's Federation
- Shetland Islands Council

Emergent themes and how we have responded / amended the final Scheme

In general respondents wanted a more flexible, less bureaucratic process. There was little significant disagreement about the need or appetite for the Local Pilots Scheme, or about the process apart from the first stage assessment and the need for transparency in weighting.

These issues, along with other feedback, are addressed below.

Not all consultation responses agreed, or suggested a way forward with the aspects listed. We have therefore tried to respond in a way that reflects the balance of opinion.

Timing for applications

- This was generally considered to be too short, although COSLA suggested that it could be shorter.
- Response: Increased Stage 1 to eight weeks (an increase of two weeks) and Stage 2 to 13 weeks (an increase of one week).



Transparency of decision making

- Many responses highlighted the need for transparency in decision making although the majority were generally happy with the Crown Estate Scotland Board making final decisions.
- Response: The Stakeholder Advisory Group has been included in an advisory capacity to assist decision making. A summary of Stage 2 projects will be published on the website (excluding any confidential aspects). This will also help applicants shape their proposals to be distinctive / different / innovative.

Process

- Several respondents noted that they feel it is unfair to turn down viable applications at Stage 1.
- Response: All valid applications now to progress to Stage 2 (see assessment criteria in Annex E). Stage 1 applications can be filtered including those better suited to lease etc.

Weighting

- This has generally been welcomed and respondents were keen for additional information.
- Response: Assessment process (for Stage 1) and scoring & weighting (for Stage 2) are included and allow for assessment of a wide range of projects. See Annex E.

Local Authorities

- Respondents stated that applications from different local authorities should not be prevented from progressing.
- Response: Text altered to make it clear that similar projects should be closely scrutinized, however projects from the same type of organisation, which display different management approaches, will be welcomed. Publication of summary of Stage 2 proposals will help applicants shape distinctive proposals.

Measuring Outcomes

- More detail consistently requested on how outcomes will be measured, particularly for less tangible social and environmental well-being aspects.
- Response: References to work done by The Crown Estate and Crown Estate Scotland on natural capital, Marine Protected Areas and Community Benefit assessment by the Scottish Government, as well as HIE's social impact measurement indicators have now been included.

Definitions

- Feedback requested on 'novel and contentious' and 'innovative'.
- Response: Additional references now included in the text.

Funding

- Several requests were made for a funding stream to support communities in the development of their applications.
- Response: A list of supporting organisations and resources has been included.



Project Aims

- Respondents expressed a desire to run projects which ensured there was no degradation or avoided loss of assets, as well as projects which enhanced assets.
- Response: Further references to sustainable management and sustainable development/triple bottom line allow for wider interpretation. Emphasis placed on the requirement to maintain and enhance the estate in Scotland. Added line on welcoming proposals relating to prevention of degradation of assets.

Community Engagement

- A number of respondents requested wider users were included.
- Response: references to wider users and examples now included in the text.

Community Benefit

- Respondents were unclear about remuneration.
- Response: text amended to make this clearer and guidance provided linking to resources to assist. Early engagement welcomed.

Assets

- A local authority asked that we do not exclude small wind developments.
- Response: we have taken this to mean small-scale near-shore wind and have now indicated that this could be subject to a pilot project

Requested changes which were not actioned

Assets

- Requests were made to change the assets included in the Pilot Scheme.
- Response: Emphasis placed on the engagement process with Scottish Government and other representatives including tenants, which led to decision on assets to be excluded. Emphasis also placed on the importance of gaining community, tenant and user buy-in to projects.

Community Support

- Requests from local authorities to be judged as an elected, representative body and therefore fully representative of their communities. Others requested clarification about community support and how this should be measured.
- Response: We are confident that the document as it stands gives sufficient guidance on how applicants can demonstrate community support and the importance of adhering to the National Standards for Community Engagement.

Out of scope of the consultation on the Pilot Scheme

- Respondents requested information about what criteria Scottish Ministers would use to decide on disposal of the seabed.
- Respondents requested the criteria or process by which the Scottish Government would decide any appeal. The process is outlined in the Local Pilots Scheme Criteria & Process document found [here](#).



**Crown Estate
Scotland**

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