

Requests for below market value agreements

Crown Estate Scotland is committed to supporting the communities we serve.

In coastal areas across Scotland we work with community groups, local businesses and moorings associations who want to access coastline and seabed to progress developments for their local area.

With the Scottish Crown Estate Act 2019 soon to be implemented, Crown Estate Scotland is now designing a consistent basis for how we work with community organisations who request below market value agreements

Any final process will have to reflect the following:

- Under the new Act, while Crown Estate Scotland is still required to seek market value, there is now a recognition that there may be circumstances where wider achievement of sustainable development in Scotland may be taken in to account.
- Any new approach will be based on the evaluation of a proportionate business case presented by the applicant. This would provide evidence of the benefits that would be secured by the valuation proposed; to show the way use of the asset will help the local community and businesses to thrive; and provide evidence of community support.
- There are some important other factors that must be considered given Crown Estate Scotland's near monopoly over the seabed, including adhering to the Competition Act 1998. This legislation guards against giving unfair advantage to particular organisations and / or activities.

The Community Empowerment (Scotland) Act 2015 provides an established basis for identifying eligible 'community controlled bodies' operated for and by the community.

Further updates on this will follow in due course.