



House of Commons
Scottish Affairs Committee

The Crown Estate in Scotland: follow up

Fifth Report of Session 2013–14

*Report, together with formal minutes relating
to the report*

*Ordered by the House of Commons
to be printed 5 March 2014*

The Scottish Affairs Committee

The Scottish Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Scotland Office (including (i) relations with the Scottish Parliament and (ii) administration and expenditure of the offices of the Advocate General for Scotland (but excluding individual cases and advice given within government by the Advocate General)).

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Publication

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the internet at www.parliament.uk/scotaffcom. A list of Reports of the Committee in the present parliament is at the back of this volume.

The Reports of the Committee, the formal minutes relating to that report, oral evidence taken and some or all written evidence are available in a printed volume. Additional written evidence may be published on the internet only.

Committee staff

The current staff of the Committee are Rebecca Davies (Clerk), Rhiannon Hollis (Clerk), Phil Jones (Inquiry Manager), Elizabeth McEnhill (Assistant Policy Analyst), Gabrielle Hill (Senior Committee Assistant) and Rosie Tate (Committee Assistant).

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Summary

The Crown Estate manages most of Scotland's foreshore and seabed and runs it for the benefit of the UK Treasury.

Two years ago, we recommended that these Crown property rights and interests, which are not the personal property of the Monarch but are held in trust for the nation, should be decentralised as far as possible.

The Government rejected our main proposals, but agreed to a little tinkering and set up a fund to help coastal communities.

We have now revisited our previous report, and taken new evidence. We are even more convinced that decentralisation is essential if local communities are to benefit from the development of these assets.

In our previous report we said the CEC's (Crown Estate Commissioners) responsibilities for the administration and revenues of the ancient crown property rights and interests in Scotland should be ended. However, centralising these responsibilities in Edinburgh would be insufficient and would not address the fundamental problems identified.

We concluded that the CEC's responsibilities for the seabed and the foreshore should therefore be devolved, then decentralised as far as possible. Devolution to Holyrood should be conditional upon an agreement between the Secretary of State and the Scottish Government on how such a scheme of subsidiarity to local authority and local community levels should be implemented.

We remain convinced that the transfer of these assets from an over-centralised London to an over-centralising Edinburgh would not be sufficient, and that local people and local authorities should be given primacy in determining how these assets should be developed and how financial benefits should be distributed. Only when the scale is too large to be dealt with locally should upward transfer be contemplated.

We have seen and heard nothing which would deflect us from our previous view: that the proposals set out by the Highlands and Islands local authorities should be the clear basis on which to proceed.

1 Introduction

The Crown Estate in Scotland

1. The Crown Estate consists of the Crown property, rights and interests managed by the Crown Estate Commissioners (CEC) on behalf of the Crown. The CEC is a public body first constituted in 1956 and now governed by the terms of the Crown Estate Act 1961. The CEC operates under a commercial remit and all surplus revenues are transferred to the UK Treasury for use as part of government expenditure.

2. The Crown property, rights and interests administered by the CEC in Scotland are different from those in the rest of the UK, as they are defined by Scotland's property law and are rights that belong to the Crown under its distinct legal and constitutional identity in Scotland. For the most part, responsibility for Scotland's Crown property rights is devolved to the Scottish Parliament. These rights are managed by the Scottish Government with the exception of those which are still managed by the CEC in London as part of the Crown Estate. The latter include the Crown's ownership of Scotland's territorial seabed and around 50% of Scotland's foreshore.

3. Over recent years, there has been a significant increase in the potential for the development of marine renewable energy projects in the coastal waters around Scotland.¹ Indeed, the CEC has forecast that the revenues from Scotland (raised from leasing areas of seabed) from such developments are set to be somewhere between £12 and £49 million by 2020.² As the rights to the seabed are administered by the CEC, these revenues will go directly to the UK Treasury.³ Furthermore, while most responsibilities for marine planning and development are devolved to the Scottish Parliament and Government, the CEC is not formally accountable to either institution in any way.

The Committee's previous report and the Government's response

4. We began our inquiry into the Crown Estate in Scotland in March 2011 and published our report a year later in March 2012.⁴ In our report, we described the composition and finances of the CEC's operations in Scotland, and identified a number of major problems in terms of the way the CEC operates in Scotland, including a lack of transparency and accountability, poor communication, a narrow commercial focus and lack of community

1 For a broader discussion of the development of marine renewable in the UK, see the House of Commons, Energy and Climate Change Committee report, *The Future of marine renewable in the UK*, Eleventh Report of Session 2010–12, HC 1624, 19 February 2012.

2 Scottish Affairs Committee, *The Crown Estate in Scotland*, Seventh Report of Session 2010–12, HC1117. See table 2 on page 18.

3 In July 2011, the Government announced a Coastal Community Fund grant scheme, which will be financed by the Treasury each year with an amount equivalent to 50% of the CEC's marine revenues. See paras 148–153 of HC1117 and paras 38 – 41 of this report.

4 Scottish Affairs Committee, *The Crown Estate in Scotland*, Seventh Report of Session 2010–12, HC1117

benefits. We then made the case for the reform of the CEC and proposed a framework and key principles for how reform might be delivered. Our central conclusion was that, with the possible exception of the CEC's capacity to buy and sell urban and rural property in Scotland, all the CEC's other responsibilities in Scotland should be devolved to the Scottish Parliament on the basis that there be further decentralisation, where appropriate, to local authority and community levels.

5. The Government's response to our report was published in July 2012. While the Government welcomed our report, describing it as "an extensive examination of the role and functions of the Crown Estate in Scotland", it was not persuaded by our central proposal that the responsibilities of the CEC in Scotland be devolved.⁵ It concluded that there were "strengths in the existing arrangements which should be retained as a matter of public interest", but that, nonetheless, the Government would take "concrete steps" towards addressing the Committee's concerns.⁶

6. Eighteen months on, we undertook to review the progress which may have been made since the publication of our original report. We invited The Crown Estate to submit written evidence and heard oral evidence from them in Inverness on 3 December 2013. We also held a series of informal meetings with a number of those who submitted evidence to our original inquiry. This brief follow-up report notes the key developments which are pertinent to the conclusions and recommendations of our previous report.

2 Update

Accountability

7. The Crown Estate Commissioners (CEC) is a statutory corporation which operates under the Crown Estate Act 1961. The various Crown property, rights and interests managed on behalf of the Crown by the CEC are known as the Crown Estate.⁷ They are not the personal property of the monarch, but the monarch "holds them in trust for the nation".⁸ As the Treasury Committee observed in its 2010 report, *The Management of the Crown Estate*: "these formal definitions [...] tend to obscure the fact that the CEC are a public body charged with managing public resources for public benefits".⁹

8. Management of the Crown property rights which make up the Crown Estate in Scotland and the revenues from them were reserved to the UK Parliament under the Scotland Act

5 HM Government, *The Government's response to the seventh report from the Scottish Affairs Committee session 20-12*, 12 July 2012, Cm8361.
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/236056/8361.pdf

6 Ibid.

7 The CEC is also known as 'The Crown Estate' with a capital T

8 The material quoted in this report which was cited in our original report is not referenced in this report, but is available in HC1117.

9 Treasury Committee, *The Management of the Crown Estate*, Eighth Report of Session 2009-10, HC 325, 30 March 2010

1998.¹⁰ While the CEC is formally accountable to the Treasury, the Secretary of State for Scotland is the Minister with lead responsibility for the CEC's operations in Scotland. The CEC is not formally accountable to the Scottish Parliament or Scottish Ministers.

9. Under the 1961 Act, the CEC is formally accountable "via the Treasury to the Westminster Parliament". As the accounting officer, the Chief Executive can be called before the Public Accounts Committee and the Treasury Committee. However, as Paula Diggle, then Treasury Officer of Accounts, confirmed, prior to the Treasury Committee's inquiry of 2010, there had only been "a couple of PAC hearings about 20 years ago". The Treasury Committee noted that, for a public body that had been in existence for 50 years, the CEC had "been subject to remarkably little scrutiny".¹¹

10. In evidence to our previous inquiry, Rt Hon Michael Moore MP, then Secretary of State for Scotland, appeared to be acutely aware of the lack of the accountability of the CEC in Scotland and had taken steps to improve this. Since taking office in May 2010, he had participated in five formal meetings with the CEC and had used these meetings to encourage it to "develop its accountability in Scotland and its willingness to engage". However, when giving evidence to us in December 2011, he said: "I am not going to claim today that we have reached the right balance in terms of engagement and accountability to local communities". Since then a new informal arrangement between Scotland Office and Treasury ministers, to meet with the CEC twice-yearly to consider how they are operating Scotland, has been reached. Mr Moore described this (in 2011) as "an important development" going forward.

11. While we welcomed the attention and focus given by the then Secretary of State for Scotland to improving the accountability of the CEC in Scotland, we concluded that the steps which had been taken did not go far enough in remedying the situation which then existed in terms of the lack of formal arrangements for the accountability of the CEC in Scotland.

12. In its response to our report, the Government acknowledged the measures being undertaken by the CEC to improve its accountability in Scotland. These included offering to give oral evidence annually to the Scottish Parliament's Rural Affairs, Climate Change & Environment Committee and the Economy, Energy & Tourism Committee.¹² The Crown Estate has since given evidence to both Committees and also gave evidence to the House of Commons Treasury sub-Committee in July 2013.¹³ The CEC has also adopted a programme of structured engagement in Scotland and has met with the First Minister and other Cabinet Secretaries.¹⁴

10 Schedule 5, Part 1, 2(3) and 3(3)a

11 HC 325

12 HM Government, *The Government's response to the seventh report from the Scottish Affairs Committee session 20-12*, 12 July 2012, Cm8361

13 <http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/6811>, Q 3

14 <http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/6811>, Q 87

13. The Government also outlined its plan to establish ‘an Inter-Ministerial Strategic Group’, chaired by a Treasury Minister, with membership including the CEC, Scotland Office, Scottish Government and COSLA or a nominee local authority. The Group was to meet annually and to be supported by ‘an officials group’ from these bodies, which would meet more regularly and report to the Inter-Ministerial Group.¹⁵ In its memorandum, the Crown Estate noted that the first meeting of the Group was scheduled to take place on 6 November 2013, following a meeting of the officials group back in February 2013. As of 5 March 2014, the Ministerial group had yet to meet.¹⁶ The CEC indicated that this was due to the busyness of Ministers’ diaries.

14. We welcome the formal steps which have been taken and the efforts made to increase the accountability of the CEC to Parliament and to Ministers at both the Scottish and UK level, and in particular the creation of a new Inter-Ministerial Strategic Group. However, it is impossible for us to evaluate or comment on the impact and efficacy of that group as it has not met yet. We hope that this is not indicative of the Secretary of State’s or Treasury Minister’s priorities in relation to the accountability of the CEC in Scotland, and recommend that a suitable date be found for a meeting to be convened as a matter of urgency.

Communication and engagement

15. While formal democratic accountability to an appropriate Parliamentary institution in Scotland is crucial, so is the accountability and relationships of the CEC with its stakeholders and local communities in Scotland. The work of the CEC in Scotland has a tangible impact on the daily lives of ordinary people, whether through collecting rents from fish farms, issuing licences for marine renewable developments, working with local harbours on the development of moorings, or with larger scale ports on developing new facilities. The future of many economically fragile coastal communities depends on the CEC getting things right.

16. A wide range of organisations provided evidence to our original inquiry about the lack of communication with, and accountability of, the CEC in Scotland. For example, both Comhairle nan Eilean Siar and the Orkney Islands Council told us that the relationship with the Crown Estate was “very poor”. Commenting on the working relationship between the Western Isles Council and the CEC, Councillor Campbell, said that “there is no relationship and it is as blunt as that”. Councillor Foubister, Orkney Islands Council, also identified a “lack of communication” as a “major issue”. The Orkney Fisherman Association told us that they had no communication whatsoever, never mind consultation, with the CEC in relation to major proposed developments in Orkney waters, which would have a major impact on their livelihoods.¹⁷

15 HM Government, The Government’s response to the seventh report from the Scottish Affairs Committee session 20-12, 12 July 2012, Cm8361, para 2.6.

16 <http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/4104>

17 <http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/6811>, Q 6. Since the publication of our original report, the CEC has met with both the Orkney Fisheries Society and Orkney Fisheries Association

17. The CEC denied that this lack of engagement was the result of complacency on its part, which led us to conclude in our previous report that the organisation had a fundamental misunderstanding of the needs and interests of local communities and indigenous industries on the Scottish coast. At best, we concluded, it had little regard for those needs and interests other than where it serves CEC's business interests. At worst, we found that it behaved as an absentee landlord or tax collector which does not re-invest to any significant extent in the sectors and communities from which it derives income.

18. Subsequently, the CEC emphasised in its memorandum of December 2013 that it now has “an extensive and structured programme of regular stakeholder engagement which includes Government, parliamentarians, local authorities, government agencies, NDPBs, commercial and community partners, along with industry representative bodies”.¹⁸ This has primarily been achieved through the Scottish Liaison Group. Established in 2007, the group has since been supplemented by separate meetings of sectoral groups for sectors such as offshore renewable energy and aquaculture. By developing the format in this way, the CEC's stated aim was to improve co-ordination and share information. Gareth Baird, Scottish Commissioner, noted that the CEC had undertaken a “colossal” amount of work in terms of improving local engagement, in particular in meeting local authorities”.¹⁹ He added that “our door is always open” and noted that the CEC were “desperate to hear from people”.²⁰

19. We welcome the steps taken by the Crown Estate Commissioners to improve its relationships with key stakeholders and community groups in Scotland. We were therefore disappointed to hear from some community groups that there had been little change in the levels of communication and consultation with the CEC. We appreciate that the CEC's commitment to improving engagement is ongoing. We will continue to monitor the situation.

Finances

20. The Crown Estate Act 1961 requires the CEC to maintain the Crown Estate as an “estate in land” and “to maintain and enhance its value and the return obtained from it, but with due regard to the requirements of good management”. The assets are managed “in accordance with a commercial mandate” and the CEC “seek a commercial return from them”. The Crown Estate in Scotland is a very small part of the CEC's overall operations, accounting for 4% of the capital value and 3% of the revenue of the UK wide Crown Estate in 2011-12. These proportions remained the same in 2012-13.

21. Following the closure of the Scottish operating division in 2001–02, separate accounts were no longer kept for Scotland. In 2005, the CEC resumed some reporting on its operations in Scotland and now produces an annual Scotland Report. In our report we highlighted a lack of transparency in relation to the CEC's finances in Scotland. The SCDI

18 <http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/4104>

19 <http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/6811>, Q 3

20 <http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/6811>, Q 13

and other witnesses called for “greater clarity and transparency about the Crown Estate accounts—revenues, profits and investments—in Scotland”.

22. Since the publication of our 2012 report, the CEC has published two annual reports for 2012 and 2013 with accompanying Scotland reports. However, the CEC has continued to emphasize that it is a UK-wide organisation with an award-winning approach to integrated reporting.²¹ Alison Nimmo, Chief Executive, confirmed that no separate Scottish accounts are published as part of the Scotland reports.²² Subsequently, there has been no change in the level of financial information provided in the Scotland Reports other than in the provision of “some information about gross expenditure [...] derived from our NAO audited accounts” and “disaggregating the Scottish component of our investment in the Round 3 offshore wind programme (two of the nine Round 3 projects are in Scottish waters), in response to a request from the Rural Affairs, Climate Change & Environment Committee”.²³

23. While we welcome the steps which have been taken to improve the accountability of the CEC in Scotland both through formal and informal networks, at both the political and community level, there can be no real accountability without financial accountability. We therefore reiterate our recommendation that CEC publish separate accounts for its operations in Scotland. We understand that the CEC’s business is not structured in this way at present, but the CEC’s management of publicly owned assets in Scotland necessitates transparent financial accountability of the CEC’s activities in Scotland.

Community benefits and wider public interest

24. Under the terms of the 1961 Act, the CEC has an obligation to manage the Estate in order “to maintain and enhance its value and the return obtained from it, but with due regard to the requirements of good management”. During the course of our original inquiry we had detailed discussions about what this meant in practice. Roger Bright, then Chief Executive, explained that the CEC was not “under a statutory requirement to maximise our revenue and the Treasury does not expect us to maximise our revenue. We seek to optimise it. That means taking account of the circumstances in which we are charging, whether it is land or whatever”. He clarified that this meant that the CEC took a medium to long term approach, “nurturing long- term assets [...] to deliver a sustainable medium to long-term source of revenue”.²⁴

25. When challenged as to how the CEC balanced the commitment to optimising revenue while showing regard for the requirements of good management, Rob Hastings, then Director of the Marine Estate, CEC, described good management as a “generic term”,

21 In October 2013 CEC won the public sector category award in PWC’s Building Public Trust Awards for progress towards integrated reporting.

22 <http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/6811>, Q 23

23 <http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/4104>

24 <http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/6811>, Q 31

which the CEC has interpreted to mean as “how do we sustainably manage our estate?” This is a very specific interpretation, and it appears that the CEC has chosen to interpret good management only to mean sustainable financial management, rather than the broader areas of sustainability that this could cover. It was unclear to us as to why this generic term could not be interpreted more broadly: why, for example, could ‘good management’ not be interpreted to include ‘for the benefit of the community’?

26. However, Roger Bright made it clear that the Crown Estate Act 1961 “does not allow us to act in the wider public interest in a non-specific way”, but emphasised that, in pursuit of its mandate “to maintain and enhance the value of the estate”, the CEC “consciously seek to act in the interest of tenant, the communities where we operate and our various stakeholders, provided we can be satisfied that there is a clear business benefit”. He concluded that it was “difficult [...] under the terms of our Act to contemplate putting money into a generalised fund which would be applied by a third party [...]. It would be for Parliament to change that mandate”.

27. Chloe Smith MP, then Economic Secretary to the Treasury, confirmed this definition of the CEC’s mandate. She asserted that the CEC “do not include wider public interest, for example those of people not connected to the Crown Estate’s properties. Nor is there scope for The Crown Estate to take account of the broader issues such as energy policy, local employment prospects or wildlife sustainability—except in so far as they relate directly to improving the Crown Estate or the welfare of its tenants and employees”. She added:

The Crown Estate is not a fund designed to invest public funds to secure government policy objectives. It cannot go further and support broader aims—whether local economic or environmental—because it would act ultra vires if it did so.

28. In our previous report, we concurred with the Treasury Committee’s conclusion to its 2010 report, which is cited below:

Our most important finding is that, even within the current statutory framework, the CEC have more flexibility to accommodate the wider public interest than either they or the Government appear to realise [...]. We also consider that the Government is taking too narrow a view of the scope it has to advise the CEC on the extent to which it ought to take wider public interest into account.

29. In practice, we found this rigid interpretation was having a tangible detrimental impact on local communities. Lorne MacLeod, Community Land Scotland, summarised as follows:

Effectively, The Crown Estate are taking considerable revenues out of some of the most marginalised communities in the whole of the United Kingdom and some of the most depressed in many ways.

Given the potential revenue from marine renewables to Scotland over the next 15 to 20 years, this issue is more urgent than ever. Councillor Cluness, Shetland Islands Council,

said that based on past experience of the CEC, there was no indication that the Highlands and Islands would see any benefit to their communities from this revenue at all. The views of many of our witnesses can be summarised in the words of the Highland Council:

As it is currently set up, the CEC is unable to deliver adequately for Scotland. If the purpose of the CEC is restricted to raising revenue for the UK Treasury then it can be considered useful. However, if it is accepted that their role is also to support community development, to be transparent, and that this should be carried out in partnership with other public sector bodies in Scotland then its usefulness is at very best limited.

30. We were therefore disappointed that there had been little change in the CEC's position. Gareth Baird, Scottish Commissioner, reiterated that the CEC is by Act a commercial enterprise and not "a social enterprise or an economic development agency". He acknowledged that this was "often a source of contention".²⁵ Alison Nimmo, Chief Executive, expanded:

I think our responsibilities are clearly set out in the Act, and it is a commercial mandate, albeit tempered with stewardship and good estate management. We try to interpret that as broadly as we can, particularly where it comes to more remote communities [...] We have a clear remit in terms of what we can and cannot do. Within that remit, I think we act very much in the best interests of Scotland. We are very committed to what we do in Scotland. [...] at the end of the day we are not a social enterprise and we are not an economic development agency. We cannot pretend to be what we are not.²⁶

31. In updating the Committee, the CEC reiterated that while The Crown Estate Act 1961 does constrain the organisation's capacity to invest in projects that do not meet its commercial remit, in practice the overall programme of investment is aligned with supporting sustainable economic growth in Scotland. It argued that, on this basis, communities do benefit from reinvestment of revenues raised.

32. In particular, the CEC highlighted the introduction of Local Management Agreements (LMAs) in 2012. These agreements provide access to seabed and foreshore and help local communities to secure funds to develop projects designed to take advantage of the economic opportunities offered by, for example, the growth of marine leisure. Gareth Baird described the agreements as enabling "access for local communities to oversee coastal assets within their areas".²⁷ Three such agreements with local community bodies now exist for proposed projects in Lochmaddy, Portree and Gigha, although LMAs are also open to local authorities and private developers. A further five agreements were currently under discussion.²⁸

25 <http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/6811>, Q 3

26 <http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/6811>, Q 97

27 <http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/6811>,

28 <http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/6811>, Q 33

33. The CEC also listed a number of additional investments they had made for the benefit of local communities, including a £375,000 investment in new mountain bike facilities on the Glenlivet Estate and piloting an education programme for secondary pupils to ensure that they are aware of and able to take advantage of opportunities in offshore renewables. The CEC also highlighted its commitment to data sharing through its bespoke spatial planning tool 'MaRS', which has been used by Marine Scotland to help inform marine planning, and the Marine Data Exchange, which provides access to survey data and reports collated during the planning, building and operating of offshore renewable energy projects.²⁹

34. The CEC also noted that, in 2012-13, it invested £9.6 million in Scotland of which £5.9 million was in the Energy & Infrastructure portfolio covering offshore renewables and carbon capture and storage (CCS). In addition, around £100,000 is invested each year in coastal projects through the Marine Stewardship Fund and £200,000 is invested in aquaculture research (this will rise to £250,000 per year from 2013-14).³⁰

35. Alison Nimmo nonetheless conceded that the CEC needed to be “a bit more agile about what we do”.³¹ She cited an example of the CEC’s work with Scottish Government and HIE to facilitate BT’s installation of 400km of subsea cables over 19 crossings to islands to deliver fibre broadband to over 80% homes and businesses in Highlands & Islands. Recognising the significant social and economic benefits that broadband will bring communities, the CEC made a variation to standard terms for submarine telecoms cables. This helped make the project viable and gave BT certainty at an early stage. It is unclear to what extent the CEC’s variation of its standard terms for the inter-island broadband cable might represent an unusual example of the CEC being more accommodating of another public interest.

36. We previously expressed concern at the very narrow interpretation of the Crown Estate Act 1961 employed by both the CEC and the Treasury, and agreed with the Treasury Committee, which, in 2010, suggested that the remit of the CEC could be interpreted more broadly to include wider public policy objectives. The CEC should be more accommodating of other public interests in its day to day operations. We concluded that the problem was one of an over-rigid and self-serving interpretation of the Act, rather than with the terms of the Act itself.

37. We note with interest therefore the CEC’s variation to standard terms in relation to sub cables for inter-island broadband, where it appears that the CEC has been more accommodating of other public interests. If this the case, we welcome the less rigid interpretation of the Act and encourage the CEC to undertake more activity of this nature. However, from the evidence we heard, we detected no general shift in the CEC’s overall position in this regard.

29 <http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/4104>

30 This is separate from and in addition to the Coastal Communities Fund (CCF). See paras 38-41 of this report.

31 <http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/6811>, Q 28

Coastal Communities Fund

38. During the course of our inquiry, in July 2011, the UK Government announced a new Coastal Communities Fund (CCF) to be financed by the Treasury with an amount equivalent to 50% of the CEC's marine revenues, calculated and distributed each year by the Big Lottery Fund on a regional basis.³² Scotland was split into two regions: the Highlands and Islands and the rest of Scotland. From 2012-13 to 2015-16, this fund will have distributed a total of £10.85 million. CCF is aimed at projects that promote sustainable economic development.³³ In evidence to our original inquiry, Andy Wightman pointed out that the Fund:

could simply be withdrawn at any time. It is not embodied in statute; it is mainly a Treasury initiative which could disappear at any time. I do not think you will find anyone who does not welcome money coming back to the communities from which it has been derived, but there are serious questions about its long-term structure and accountability.

39. Many of our witnesses echoed these concerns. The Highland Council welcomed “recognition by the UK Government [...] of the principle that revenues raised from the Crown's marine rights should be returned to the region where it was raised”. However, it was suggested that an amount equivalent to 100% of the revenues raised, rather than 50%, should be returned. The Highland Council was of the view that marine revenues should be “managed by a strategic group for the Highlands and Islands local authorities with Highlands and Islands Enterprise and anybody else who was appropriate, rather than by the Big Lottery”.

40. While the Scottish Government welcomed the UK Government's recognition that local communities should realise the benefits, it argued that the Coastal Communities Fund “does not address the fundamental and longstanding concerns [...] about the lack of accountability and transparency in the current arrangements for administration of the Crown Estate, and the inflexible and outdated management principles”.³⁴

41. We previously welcomed the fact that the UK Government's new Coastal Communities Fund was recognition that coastal communities in Scotland should directly benefit from the revenues raised by the CEC in Scotland—albeit only by a sum equivalent to 50% of the revenues raised. However, we also noted that the Fund does not directly involve the Crown Estate and does not address the fundamental problems with the CEC's responsibilities in Scotland. Therefore, while it is welcome as an interim measure, the Fund does not lessen the need for the essential reform of the CEC in Scotland.

32 The Fund will not use revenues from the Crown Estate, but is based on the Treasury financing the Fund with an amount equivalent to 50% of the CEC's marine revenue each year.

33 <http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/4104>

34 Written evidence to our previous inquiry.

3 Rights to the foreshore and seabed

42. During the course of our original inquiry, we identified a consensus in relation to the problems and the weaknesses of the CEC as it operates in Scotland, including: the absence of accountability, the narrowness of its financial focus and the lack of benefits, and the consequent economic leakage, in particular from the Highlands and Islands. We also identified a broad consensus that the only solution to these issues is that the responsibilities of the CEC in Scotland should be devolved to Scotland.³⁵ The vast majority of the evidence we received focused on the rights to the foreshore and the seabed.

Crown foreshore

43. In Scots law, the foreshore is defined as the area between the high and low water marks of ordinary spring tides (or the strip of coastline between the land and the seabed) and is presumed to be owned by ancient right by the Crown, except in areas under udal tenure in the Northern Isles or where the ownership has been acquired from the Crown. Approximately 50% of the length of Scotland's foreshore is still held by the Crown and managed by the CEC as part of the UK- wide Crown Estate. Over 80% of the length of Scotland's foreshore is in the Highlands and Islands.

44. The Highland Council recommended that the administration and revenues of the Crown foreshore in Scotland should be devolved to the Scottish Parliament, and then transferred to each local authority where Crown foreshore occurs.³⁶ The foreshore is currently covered by Scotland's statutory planning system and half of it managed by owners other than the Crown. Devolving the CEC's responsibilities would only involve the transfer of the administration and revenues of the Crown foreshore in Scotland, and not a change in the Crown's ownership of these lengths of foreshore.

45. If the CEC's responsibilities were devolved to local authorities, they would have the authority to dispose of Crown foreshore. Many of our witnesses, however, noted that there should be a general presumption against disposing of lengths of foreshore as it is a national public resource. Alasdair Rankin, then Head of New Business Developments in the Marine Estate, CEC, opposed the devolution of the rights to the foreshore to local authorities as it would result in the "overall fragmentation of the coastal estate" which he described as "negative". On the other hand, Sandy Brunton, Scottish Islands Federation, recommended that the rights be devolved even further beyond local authorities to local development trusts or community councils.

46. We previously recommended that the CEC's responsibilities for Crown foreshore in Scotland be devolved to local authorities. We concluded that the benefits of this would include clear local accountability, responsiveness to local conditions and an end to the

³⁵ There was less common ground over the details of how the rights, and the revenues raised from those rights, should be best managed, administered and distributed following devolution – and we subsequently considered those rights on an individual basis.

³⁶ This was supported by several other witnesses, including other Local Authorities in the Highlands and Islands.

current economic leakage from the CEC's charges, as well as revised rents set to reflect multiple objectives in contrast to the CEC's narrow commercial remit. We were disappointed at the Government's rejection of our recommendation. Subsequently we have reconsidered our proposals, have come to the conclusion that they remain correct and urge the Government to reconsider its position.

Seabed rights

47. The ownership of Scotland's territorial seabed is an ancient possession of the Crown in Scots law and the most prominent of Scotland's Crown property rights managed by the CEC as part of the Crown Estate. The Crown owns virtually all of Scotland's seabed other than some small scale coastal sites associated with harbours or other developments and an area in the Firth of Forth. The seabed is therefore "national public land".

48. Anybody intending to make use of Scotland's territorial seabed outwith these minor exceptions needs to obtain the permission of the CEC, as is the case for use of the seabed in the adjoining continental shelf area. If the CEC agree to a proposed use, they will grant permission through a lease or other legal agreement and charge rent or other fees.

49. In addition to the agreement of the land owner through the CEC, most uses of the seabed also require permission through the statutory marine planning system in Scotland. There has been a series of major developments in marine planning and regulation in Scotland since devolution: not least the establishment of Marine Scotland, the Marine (Scotland) Act 2010 and the development of a National Marine Plan by the Scottish Government which covers both Scotland's territorial sea and continental shelf areas. Linda Rosborough, then Acting Director, Marine Scotland, explained that Marine Scotland had been formed to bring together a "centre of gravity to provide for the integrated management of the sea". She concluded that these developments: "provide for an integrated system of marine licensing [...] and for marine planning. For the first time you have the possibility of plan-led development in the sea".

50. As noted previously, over recent years, there has been a significant increase in the potential for the development of marine renewable energy projects in the coastal waters around Scotland. Indeed, the CEC has forecast that the revenues from Scotland (raised from leasing areas of seabed) from such developments are set to be somewhere between £12 and £49 million by 2020.³⁷ As the rights to the seabed are administered by the CEC, these revenues will go directly to the UK Treasury.

51. Given the importance of the seabed we were surprised that, as Rob Hastings acknowledged, the CEC did not "specifically have a plan for the management of the seabed", but a "Marine Estate business strategy", which meant that certain sectors had been prioritised for development "within a strategic framework for the business". While the CEC has a business plan in terms of optimising revenue from the seabed, this is quite

³⁷ Scottish Affairs Committee, *The Crown Estate in Scotland*, Seventh Report of Session 2010-12, HC1117. See table 2 on page 18.

different to a plan for the strategic management of the seabed. In updating the Committee, the CEC noted that it has since agreed in principle a protocol to ensure that the CEC's marine energy activities “are aligned with the objectives of the Scottish Government”.³⁸

52. We previously emphasised the need for a plan for the strategic management of the seabed in Scotland, which is integrated with the planning system and delivered for the benefit of local communities and users, indigenous industries and developers. We welcomed the creation of Marine Scotland as a body with the potential to oversee and co-ordinate this, taking a more holistic view of the management and use of Scotland's seabed than has been the case with the CEC.

53. We were therefore pleased to detect a minor shift in the CEC's position in this respect, in that the CEC has agreed in principle a protocol to ensure that its marine energy activities are aligned with the objectives of the Scottish Government. We will monitor closely how that protocol is developed and implemented.

54. The CEC's role in Scotland's marine environment was the focus of most of the evidence we received in our original inquiry, which demonstrated a broad consensus that CEC is not the appropriate organisation to manage and administer the Crown's ownership of Scotland's seabed—a publicly owned national asset, which requires proper multiple objective management in the public interest to benefit the people of Scotland and its many coastal communities. We recommended therefore that CEC's reserved responsibilities in Scotland for administering the Crown's seabed rights and their revenues should be devolved. The Government disagreed with this central recommendation, but made no alternative suggestion for appropriate arrangements for the management of the seabed. No progress has been made in addressing any of our concerns in this respect. We are disappointed at the Government's wholly inadequate response and ask it to reconsider its position as a matter of urgency.

4 Other ancient possessions

55. While much of the evidence we received in our original inquiry focused on foreshore and seabed rights, the Crown Estate in Scotland also includes a number of other ancient possessions of the Crown in Scotland, namely two historic sites (part of West Princess Street Gardens, Edinburgh and the King's Park, Stirling) and four other ancient Crown property rights (oysters, mussels, salmon, and gold and silver) that produce no revenue for the CEC. We are pleased to note that there has been more progress in response to our recommendations in relation to these particular rights.

Historic sites

56. At the time of our original inquiry, the CEC was responsible for five hectares of West Princess Street Gardens, Edinburgh, which is currently managed by Edinburgh City

38 <http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/4104> see also <http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/4899>

Council on their behalf. We recommended that the ownership of the Crown land in West Princess Street Gardens be transferred to the City Council. The second historic site managed by the CEC as part of the Crown Estate was the King's Park at Stirling Castle. We recommended that ownership of all of the King's Park still held by the Crown be transferred to the Scottish Government. The Crown Estate transferred the land in West Princes Street Gardens to the City of Edinburgh Council in October 2012. In August 2013, King's Park was transferred to Scottish Ministers, while ensuring local control and management of the land through a ground lease to Stirling Council.³⁹

57. We welcome the transfer of land in West Princess St Gardens to the City of Edinburgh Council, and of the King's Park, Stirling, to Scottish Ministers in line with our original recommendations.

Ancient rights

58. In its 2010 report, the Treasury Committee recommended that the CEC should seek to transfer non-economic historic sites to other appropriate bodies, so that the CEC could better pursue its aim of concentrating on its core financial remit. We added that it would be consistent with this approach if the CEC's responsibilities for the four other ancient Crown property rights in Scotland, currently managed as part of the Crown Estate—the rights to oysters, mussels, salmon and gold and silver—were transferred. The CEC do not earn revenue from these rights and the first three are Scottish Crown property rights for which there are no equivalent Crown property rights in English law.

59. In relation to the archaic rights to naturally occurring native oysters and native mussels, the CEC noted that: "there are no current leases from The Crown Estate of naturally occurring oysters or mussels, and no income is derived from them. The Crown Estate plays no active part in managing them". We identified a general consensus that these rights should be reviewed and potentially abolished. In its update, the CEC informed us that the transfer of naturally occurring oysters and mussels to Marine Scotland on behalf of Scottish Ministers had been agreed in principle and is expected to be completed in the next few months. This is a new development as the CEC has only previously conveyed the ownership of actual properties in the sense of an area of land, rather than conveying a Crown right itself. The conveyancing of these rights is a different approach to devolving responsibility for the rights to Scottish Minister through legislation at Westminster. The new approach raises the question of other non-commercial rights assets that could be conveyed, for example, certain Crown salmon fishing rights.

60. In our previous report, we also recommended that the CEC's responsibilities for the administration and revenues of the ancient Crown property rights in Scotland to coastal and freshwater salmon and to gold and silver, should be devolved to the Scottish Parliament. The CEC rejected this recommendation on the basis that "the commercial

39 <http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/4104>

value of salmon [...] prevent the transfer of these at nil value due to the requirements of The Crown Estate Act⁴⁰.

61. We welcome the CEC's commitment to the transfer of naturally occurring oysters and mussels to Marine Scotland on behalf of Scottish Ministers. We recommend that other non-commercial rights assets, in particular certain Crown salmon fishing rights, be conveyed in the same way.

5 Conclusion

62. During our original inquiry, we examined the CEC's management of the Crown property, rights and interests which make up the Crown Estate in Scotland. These Crown property rights are legally different from those managed by the CEC in the rest of the UK, as they are held by the Crown in Scotland. The management of these rights is a very small part of the CEC's operations at 4% of the capital value and 3% of revenue. There is also a different balance in the CEC's operations in Scotland, with marine operations by far the largest component in Scotland compared to the dominance of urban property in the rest of the UK. Alison Nimmo acknowledged that:

The difficulty that comes with that is that I am running a very successful business across the whole of the UK, and what might be some of the challenges and the needs in a remote part of Scotland or Wales or Northern Ireland are very different to how we run the business in London.⁴¹

63. In the course of that inquiry, we identified major issues over the CEC's management of the Crown Estate in Scotland. These included: a lack of accountability of the CEC in Scotland, either formally, through democratic structures of governance, or locally; a lack of transparency in relation to finances in Scotland, and; a lack of consultation, communication and engagement with local communities. Furthermore, the CEC has no statutory capacity or willingness to meet multiple public interest objectives and re-invest appropriately into the sectors and communities from which revenues are raised in Scotland. On this basis, we concluded that the CEC represents a series of missed opportunities and was either incapable or unwilling to change its ways.

64. We concluded that the only way in which to address these fundamental issues was that the CEC's responsibilities for the administration and revenues of the Crown property, rights and interests in Scotland be devolved to Scotland. However, in order to ensure that the new arrangements address the issues raised, we recommended this change be based on a commitment from the Scottish Government to further decentralisation to more local levels wherever possible. We considered how different arrangements could be made for each of the varied Scottish Crown property rights, identified clear options for new arrangements as a basis for going forward, and made a series of specific recommendations to this effect. Since the publication of our report we have held successful discussions with

40 <http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/4104>

41 <http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/6811>, Q 97

key stakeholders in order to build and develop consensus on these issues in order to move forward.⁴²

65. The UK Government rejected our central recommendation which was that the CEC's responsibilities for the administration and revenues of the Crown property, rights and interests in Scotland be devolved to Scotland.⁴³ However, they undertook to take 'concrete steps' in order to address our concerns.⁴⁴ Those steps are outlined in this report and include some improvements to accountability structures (paras 12-14); attempts to improve and enhance local community enhancement and engagement (paras 18 and 19); very minor improvements to financial reporting (para 22); and, the transfer of historic sites to the City of Edinburgh Council/Scottish Ministers, accompanied by a commitment to transfer rights to naturally occurring mussels and oysters to Marine Scotland (paras 56-61).

66. While we welcome the steps which have been taken by the CEC in Scotland in an attempt to address some of the concerns raised in our original report, progress has been limited. This is in no way a reflection on the professionalism and commitment of the individuals who work for the CEC in Scotland: we are in no doubt that the small positive changes that have taken place over the past eighteen months can be attributed to their hard work. However, during this review, we have seen no evidence to dissuade us of our original conclusion that the structures of the CEC are neither adequate or appropriate to meet the needs and aspirations of people living in the various parts of Scotland impacted by the Crown Estate nor of Scotland as a whole.

67. We are particularly disappointed not to have seen more progress at Government level to address this. We remain of the view that the Secretary of State for Scotland should announce the UK Government's commitment to devolve the CEC's marine and ancient rights and responsibilities in Scotland, conditional on a clear commitment by the Scottish Government to, and a detailed agreement on, the further decentralisation to the maximum extent possible of the CEC's responsibilities to local authority and local community levels, and that he make the necessary legislative provision to this effect.

42 Informal meeting of the Scottish Affairs Committee, Inverness, 24 September 2012

43 HM Government, *The Government's response to the seventh report from the Scottish Affairs Committee session 20-12, 12 July 2012*, Cm8361

44 Ibid.

Conclusions and recommendations

Accountability and engagement

1. We welcome the formal steps which have been taken and the efforts made to increase the accountability of the CEC to Parliament and to Ministers at both the Scottish and UK level, and in particular the creation of a new Inter-Ministerial Strategic Group. However, it is impossible for us to evaluate or comment on the impact and efficacy of that group as it has not met yet. We hope that this is not indicative of the Secretary of State's or Treasury Minister's priorities in relation to the accountability of the CEC in Scotland, and recommend that a suitable date be found for a meeting to be convened as a matter of urgency. (Paragraph 14)
2. We welcome the steps taken by the Crown Estate Commissioners to improve its relationships with key stakeholders and community groups in Scotland. We were therefore disappointed to hear from some community groups that there had been little change in the levels of communication and consultation with the CEC. We appreciate that the CEC's commitment to improving engagement is ongoing. We will continue to monitor the situation. (Paragraph 19)
3. While we welcome the steps which have been taken to improve the accountability of the CEC in Scotland both through formal and informal networks, at both the political and community level, there can be no real accountability without financial accountability. We therefore reiterate our recommendation that CEC publish separate accounts for its operations in Scotland. We understand that the CEC's business is not structured in this way at present, but the CEC's management of publicly owned assets in Scotland necessitates transparent financial accountability of the CEC's activities in Scotland. (Paragraph 23)

Community benefits

4. We previously expressed concern at the very narrow interpretation of the Crown Estate Act 1961 employed by both the CEC and the Treasury, and agreed with the Treasury Committee, which, in 2010, suggested that the remit of the CEC could be interpreted more broadly to include wider public policy objectives. The CEC should be more accommodating of other public interests in its day to day operations. We concluded that the problem was one of an over-rigid and self-serving interpretation of the Act, rather than with the terms of the Act itself. (Paragraph 36)
5. We note with interest therefore the CEC's variation to standard terms in relation to sub cables for inter-island broadband, where it appears that the CEC has been more accommodating of other public interests. If this the case, we welcome the less rigid interpretation of the Act and encourage the CEC to undertake more activity of this nature. However, from the evidence we heard, we detected no general shift in the CEC's overall position in this regard. (Paragraph 37)

Coastal Communities Fund

6. We previously welcomed the fact that the UK Government's new Coastal Communities Fund was recognition that coastal communities in Scotland should directly benefit from the revenues raised by the CEC in Scotland—albeit only by a sum equivalent to 50% of the revenues raised. However, we also noted that the Fund does not directly involve the Crown Estate and does not address the fundamental problems with the CEC's responsibilities in Scotland. Therefore, while it is welcome as an interim measure, the Fund does not lessen the need for the essential reform of the CEC in Scotland. (Paragraph 41)

Rights to the foreshore and seabed

7. We previously recommended that the CEC's responsibilities for Crown foreshore in Scotland be devolved to local authorities. We concluded that the benefits of this would include clear local accountability, responsiveness to local conditions and an end to the current economic leakage from the CEC's charges, as well as revised rents set to reflect multiple objectives in contrast to the CEC's narrow commercial remit. We were disappointed at the Government's rejection of our recommendation. Subsequently we have reconsidered our proposals, have come to the conclusion that they remain correct and urge the Government to reconsider its position. (Paragraph 46)
8. We previously emphasised the need for a plan for the strategic management of the seabed in Scotland, which is integrated with the planning system and delivered for the benefit of local communities and users, indigenous industries and developers. We welcomed the creation of Marine Scotland as a body with the potential to oversee and co-ordinate this, taking a more holistic view of the management and use of Scotland's seabed than has been the case with the CEC. (Paragraph 52)
9. We were therefore pleased to detect a minor shift in the CEC's position in this respect, in that the CEC has agreed in principle a protocol to ensure that its marine energy activities are aligned with the objectives of the Scottish Government. We will monitor closely how that protocol is developed and implemented. (Paragraph 53)
10. The CEC's role in Scotland's marine environment was the focus of most of the evidence we received in our original inquiry, which demonstrated a broad consensus that CEC is not the appropriate organisation to manage and administer the Crown's ownership of Scotland's seabed—a publicly owned national asset, which requires proper multiple objective management in the public interest to benefit the people of Scotland and its many coastal communities. We recommended therefore that CEC's reserved responsibilities in Scotland for administering the Crown's seabed rights and their revenues should be devolved. The Government disagreed with this central recommendation, but made no alternative suggestion for appropriate arrangements for the management of the seabed. No progress has been made in addressing any of our concerns in this respect. We are disappointed at the Government's wholly inadequate response and ask it to reconsider its position as a matter of urgency. (Paragraph 54)

Other ancient possessions

11. We welcome the transfer of land in West Princess St Gardens to the City of Edinburgh Council, and of the King's Park, Stirling, to Scottish Ministers in line with our original recommendations. (Paragraph 57)
12. We welcome the CEC's commitment to the transfer of naturally occurring oysters and mussels to Marine Scotland on behalf of Scottish Ministers. We recommend that other non-commercial rights assets, in particular certain Crown salmon fishing rights, be conveyed in the same way. (Paragraph 61)

Conclusion

13. While we welcome the steps which have been taken by the CEC in Scotland in an attempt to address some of the concerns raised in our original report, progress has been limited. This is in no way a reflection on the professionalism and commitment of the individuals who work for the CEC in Scotland: we are in no doubt that the small positive changes that have taken place over the past eighteen months can be attributed to their hard work. However, during this review, we have seen no evidence to dissuade us of our original conclusion that the structures of the CEC are neither adequate or appropriate to meet the needs and aspirations of people living in the various parts of Scotland impacted by the Crown Estate nor of Scotland as a whole. (Paragraph 66)
14. We are particularly disappointed not to have seen more progress at Government level to address this. We remain of the view that the Secretary of State for Scotland should announce the UK Government's commitment to devolve the CEC's marine and ancient rights and responsibilities in Scotland, conditional on a clear commitment by the Scottish Government to, and a detailed agreement on, the further decentralisation to the maximum extent possible of the CEC's responsibilities to local authority and local community levels, and that he make the necessary legislative provision to this effect. (Paragraph 67)

Formal Minutes

Wednesday 05 March 2013

Members present:

Mr Ian Davidson, in the Chair

Mike Crockart

Sir Jim Paice

Jim McGovern

Mr Alan Reid

Graeme Morrice

Lindsay Roy

Pamela Nash

Draft Report (*The Crown Estate in Scotland: follow up*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 67 read and agreed to.

Summary agreed to.

Resolved, That the Report be the Fifth Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Monday 10 March at 9 am

Witnesses

The following witnesses gave evidence. The transcript can be viewed on the Committee's inquiry page at www.parliament.uk/scotaffcom.

Tuesday 3 December 2013

Question number

Alison Nimmo, Chief Executive, The Crown Estate, **Gareth Baird**, Scottish Commissioner, The Crown Estate, **Ronnie Quinn**, Energy and Infrastructure Lead for Scotland, The Crown Estate, and **Alan Laidlaw**, Scotland Rural and Coastal Portfolio Manager, The Crown Estate

[Q1-109](#)

List of published written evidence

The following written evidence was received and can be viewed on the Committee's inquiry web page at www.parliament.uk/scotaffcom.

- | | | |
|---|-------------------|---------------------------|
| 1 | The Crown Estate | (CEF0001) |
| 2 | Dr Sally Campbell | (CEF0002) |
| 3 | The Crown Estate | (CEF0003) |

List of Reports from the Committee during the current Parliament

The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2010–12

First Report	Postal Services in Scotland	HC 669 (HC 884)
Second Report	Video Games Industry in Scotland	HC 500 (Cm 8067)
Third Report	UK Border Agency and Glasgow City Council	HC 733
Fourth Report	The Scotland Bill	HC 775
Fifth Report	Student Immigration System in Scotland	HC 912 (Cm 8192)
Sixth Report	The Referendum on Separation for Scotland: Unanswered Questions	HC 1806
Seventh Report	The Crown Estate in Scotland	HC 1117
Eighth Report	The Referendum on Separation for Scotland: Do you agree this is a biased question?	HC 1942

Session 2012–13

First Report	A Robust Grid for 21 st Century Scotland	HC 499
Second Report	The Referendum on Separation for Scotland: making the process legal	HC 542
Third Report	The Referendum on Separation for Scotland: a multi-option question?	HC 543
Fourth Report	The Referendum on Separation for Scotland: Terminating Trident—Days or Decades?	HC 676 (HC 861)
Fifth Report	The Future of HM Coastguard in Scotland	HC 583
Sixth Report	The Referendum on Separation for Scotland: The proposed section 30 Order—Can a player also be the referee?	HC 863
Seventh Report	The Referendum on Separation for Scotland: Separation shuts shipyards	HC 892
Eighth Report	The Referendum on Separation for Scotland: How would Separation affect jobs in the Scottish Defence Industry?	HC 957 (HC 257)

Session 2013–14

First Report	Remploy Marine Fife	HC 454
Second Report	The Referendum on Separation for Scotland: The Need for Truth	HC 828
Third Report	The Referendum on Separation for Scotland: A Defence Force for Scotland—A Conspiracy of Optimism?	HC 842
Fourth Report	The impact of the Bedroom Tax in Scotland: Interim Report	HC 288