COMMUNITY EMPOWERMENT (SCOTLAND) BILL

Oban Community Council is pleased to support the provisions of the Community Empowerment (Scotland) Bill. We believe that this Bill shall bring additional powers to communities to progress projects and initiatives which shall advance economic and social development.

In relation to the proposed ‘Community Right to Buy Abandoned or Neglected Land’, we note that the definition of eligible land is land which is in the opinion of Ministers wholly or mainly abandoned or neglected.

We consider that it will be very difficult for community groups to persuade Ministers that land is abandoned. It is quite difficult to envisage the circumstances when a Court of Law would rule that land had been truly abandoned, as it would only take some minor activity to take place upon the land to convince otherwise.

It may be easier for communities to present an argument that land has been neglected, although we have concerns that this would also end up in a legal dispute concerning the definition of neglected. Community groups reliant on volunteers, and with limited financial resources, would find it difficult to pursue the registration of interest in land in such circumstances.

We note in the Explanatory Notes supporting the Bill that the concept of abandoned or neglected land is ‘for the purpose of the sustainable development of that land’. We would suggest, therefore, that the wording of the Bill itself be changed to define eligible land as land which is in the opinion of Ministers wholly or mainly abandoned or neglected having regard to its potential in furthering sustainable development.
Local Government and Regeneration Committee

Submission Name: Oban Community Council       Submission Number: 28

Yours faithfully

Duncan Martin       Secretary