

# Citizen Participation and Public Petitions Committee

11th Meeting, 2022 (Session 6), Wednesday  
15 June 2022

PE1885: Make offering Community Shared  
Ownership mandatory for all windfarm  
development planning proposals

## Note by the Clerk

<b>Lodged on</b>	19 August 2021
<b>Petitioner</b>	Karen Murphy
<b>Petition summary</b>	Calling on the Scottish Parliament to urge the Scottish Government to make Community Shared Ownership a mandatory requirement to be offered as part of all planning proposals for windfarm development.
<b>Webpage</b>	<a href="https://petitions.parliament.scot/petitions/PE1885">https://petitions.parliament.scot/petitions/PE1885</a>

## Introduction

1. The Committee last considered this petition at its meeting on [2 February 2022](#). At that meeting, the Committee agreed to invite the relevant Cabinet Secretary to provide evidence.
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. Written submissions received prior to the Committee's last consideration can be found on the [petition's webpage](#).
4. Further background information about this petition can be found in the [SPICe briefing](#) for this petition.

5. The Scottish Government's initial position on this petition can be found on the [petition's webpage](#).
6. The Committee has decided to hear evidence from the Minister for Public Finance, Planning and Community Wealth on this petition and on petition PE1864. A private SPICe questions paper has been supplied to Members for this evidence session (Paper 12 in your papers pack).

## **Action**

The Committee is invited to consider what action it wishes to take.

### **Clerk to the Committee**

## Annexe A

# PE1885: Make offering Community Shared Ownership mandatory for all windfarm development planning proposals

## Petitioner

Karen Murphy

## Date lodged

19 August 2021

## Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to make Community Shared Ownership a mandatory requirement to be offered as part of all planning proposals for windfarm development.

## Previous action

Residents of Kintyre and Knapdale have engaged with 6 Community Councils who have in turn been in contact with Argyll and Bute Council.

The Cabinet Secretary for Rural Affairs, Fergus Ewing has been approached and representation has also been made to Jenni Minto MSP regarding some of the companies who are refusing shared ownership asking her to email a particular company about their stance. It is understood she is arranging a meeting with Michael Matheson, Cabinet Secretary, to discuss this.

## Background information

Currently, Community Shared Ownership is a recommendation of the revised Scottish Government 'Good Practice Principles for Community Benefits from Onshore Renewable Energy Developments' (2019), but many opportunist developers do not offer shared ownership on agreements to offer fair and effective CSO opportunities to impacted communities.

Because of the unprecedented scale of windfarm development, a piecemeal approach to securing CSO is beyond the scope of small communities. Given that development is a national occurrence, a coherent political response is required which mandates that developers must offer and secure 15% CSO investment. Unless this is in place Government will fail local communities, and will not achieve the target for Community and locally owned energy. Increasingly windfarm developers build windfarms to immediately sell them on to Capital Investment Firms, and, with no requirement to offer CSO, it is a seemingly added and unnecessary complication to their ability to sell, so offers are withheld. This is compounded by subsidies no longer being available.

## Annexe B

### Extract from Official Report of last consideration of PE1885 on 2<sup>nd</sup> February 2022

**The Convener:** PE1885, which was lodged by Karen Murphy, calls on the Scottish Government to make community shared ownership a mandatory requirement to be offered as part of all planning proposals for wind farm development.

The committee wrote to the Scottish Government asking whether the Scottish Government could use existing planning powers to provide incentives for developers to offer community shared ownership. The Scottish Government's response highlights good-practice guidance, which indicates that planning authorities

“should not seek to secure shared ownership though the use of planning conditions or obligations”.

The Energy Saving Trust suggested that the UK Government's contracts for difference could be a route to making community shared ownership offers mandatory. The trust notes that due to competitive bidding rounds, opportunities for community shared ownership could be threatened by bidders cutting costs to try to win contracts. It was suggested that community shared ownership could be protected if additional points in the contract evaluation were awarded to bidders for offering community shared ownership.

The petitioner raises a number of additional issues. Her view is that some developers refuse to interact with the local community, some refuse to offer community shared ownership, and others might make community shared ownership offers that do not meet the definition of community shared ownership as defined by the Scottish Government. The Energy Saving Trust and the petitioner make a number of recommendations for improvement: they are detailed in the clerk's note in your papers.

Do any other members have any comments or suggestions for action?

**David Torrance:** As with the previous petition, I wonder if we could get the correct minister in and take some evidence. It is quite important. Community ownership of wind farms is vital to small communities. I have several examples in my constituency where it has been beneficial. To me, it is important that we take the petition forward and get the relevant minister or cabinet secretary to come in and give evidence.

**The Convener:** We have decided that we will invite the cabinet secretary to come in relation to petition PE1864, which is a different aspect of the whole wind farm debate, so I think it would be perfectly reasonable to combine this petition with that on that occasion.

**Ruth Maguire:** Forgive me, I do not want to disagree with you, convener, but did we not agree to ask the planning minister in for PE1864? Would it not be the—

**The Convener:** Yes. The committee had delegated it to me to decide on the appropriate minister—you are quite right. It could be either minister in that event.

**Paul Sweeney:** I was quite alarmed by the Scottish Government's submission, in the sense that it suggests that authorities should not use good practice guidance and planning as leverage. That is a perfectly legitimate thing to do and should be actively encouraged. There are very few forms of leverage available to democratic politics over capital of this nature and scale. If you can drive a harder bargain on behalf of communities to capture more ownership of these projects, that would be a worthwhile thing to interrogate. I am simply asking—without any real thorough justification—why is it not seen as good practice?

Further to the minister coming to the committee, it would be good to probe that particular matter in the context of national planning framework 4 and how that could be changed. It is a timely issue to explore, particularly with the recent commentary around the ScotWind leasing round and how people felt that that might not have been the best possible deal.

**The Convener:** Yes, the same thought had occurred to me: why is it not allowed? Therefore that is very much a question that you could put to the appropriate minister. If colleagues are happy to again delegate determining who that is to me, we will proceed on that basis.

*Members indicated agreement.*