

Written submission from Tobermory Harbour Association

DEVOLUTION OF THE CROWN ESTATE FROM A COMMUNITY PERSPECTIVE

For many years I have been Chair of the Tobermory Harbour Association. A community company whose ethos is to provide 'Facilities for All'. We have achieved considerable and recognised success through various partnerships. We work with all the relevant authorities including The Crown Estate (CE). We welcome the devolution of the assets currently managed by the CE to SCOTLAND. Conversely I and some of my Directors share concerns about the proposed full transfer of the management of these assets and full revenue raising powers to the Local Authorities.

THE PRESENT POSITION

We acknowledge and recognise the huge body of work undertaken over many years and delivered by the Crown Estate Staff to Scottish Coast Communities.

RECOGNISED MILESTONES

- In the 1980's and 1990's the CE working with WHAM and other community groups halted the unregulated mooring mess that was spreading amorously around the Scottish Coast and over our inshore seabed. *Outcome: Moorings today are, registered, regulated and affordable to all.*
- The CE working with others including the Enterprise agencies and the EU have driven a policy to create hub ports and stepping stone harbours to kick start the growth of Marine Tourism from the Clyde to the Western Isles and now along the east Coast. Outcome: This investment over the past 15 years has delivered excellent infrastructure which has trebled the numbers of visitors afloat and delivered much needed income to coastal communities.
- The CE have directly grant aided millions of pounds to small and much needed harbour developments and facilities via the Coastal Communities Programme. Multiple Outcomes in local communities.
- The CE have purchased and leased back to Communities and Harbour Authorities asset infrastructure. The Banks would not lend on Pontoon Infrastructure. Outcome: Investment in infrastructure and job creation.
- The CE has driven and invested in research to deliver inshore and offshore renewable energy. The CE has invested over £100m in offshore renewable energy.
- At Tobermory the CE are about to trial full devolution of the CE assets to the local Harbour Association. This is a first, and is subject to the Association becoming a Harbour Authority. Future outcome: community gain and control
- The Crown Estate is single entity manager of the seabed. Outcome: This made the installation of the new High Speed Broad Band cables over and under the seabed 'easy' where the contractors imagined huge difficulties.

- The CE revenue in Scotland is £19.5m, The Office is managed by a staff of 38. The income raised has a proportional return to the communities, through grants and through direct investments. Under the present governance and directive this appears to be an efficient 'staff to income' return and a productive use and reinvestment of funds and revenues. Directive: "to maintain and enhance the value of the Crown Estate and the return obtained from it, but with due regard to the requirements of good management"

UK MANAGEMENT FAILURE IN RELATION TO SCOTLAND

- The Governance is not accountable to the Scottish Parliament or the Scottish People.
- The Governance of the Crown Estate is under the management of the Crown Estate Commissioners in London with surplus revenue paid to HM Treasury.
- The revenues generated in Scotland flow south. This is, and would be a problem irrespective of the amount that returns north.
- Lease incomes do not 'appear' to benefit the local communities, districts or regions. Examples: moorings, fish farms, renewables.
- The devolution of the management of the seabed to communities was proceeding, a trail is proposed to start with Tobermory Harbour Association in 2015, but has not yet been implemented.
- The CE seabed asset is perceived as a 'Revenue Generator' and not as a complex eco system requiring a duty of care.

A NEW FUTURE

I hold reasoned views that the Seabed is not a map pasted with pound notes. The seabed is the interface between resources above and resources below. This is a Scottish resource that transcends local boundaries and should be managed for the 'common good'.

The seabed bears no relationship to the flat open sea surface with mooring buoys bobbing up and down and ships sailing by. The seabed is a complex geological formation of cliffs, peaks, ridges, muddy planes and sandy gullies, boulders and corals. Creatures and fish live above, on, and under the surface of the seabed. Laying moorings or oil rigs or pipelines has an effect on the seabed from tidal scouring to creating protected habitats for fish, shellfish and plants. Drilling through the seabed delivers energy from oil and gas and conversely well heads deliver warm and provide secure oases where fish and sea-life flourishes.

THE SOLUTION

- The devolution of the Crown Estate Marine Assets to Scotland is an opportunity to recognise the need for a more holistic approach to the management of the Scottish seabed. Outcome: sustainable assets and joined up thinking
- The management of our national asset, the Scottish Seabed, should be supervised by an overarching authority unconstrained by regional or local boundaries. The new authority would set the policy, deliver energy leases and connectivity leases and leases to harvest subsea resources under agreed, transparent and sustainable national rules. Examples: pipe lines and inter-connectors, sub sea cables, horizontal drilling for resources.
- Where applicable the management and the authority to grant local licenses and local leases could be further devolved to local communities, Harbour Authorities and /or local District or Regional Authorities. Resources associated with the seabed that are incapable of recognising regional, district or local boundaries would require an agreed national policy. Examples: flora and fauna and tidal streams.
- A policy to devolve the management of the seabed within local Trust Ports and Harbour Authorities and Marine Parks should be implemented as soon as National Policies are agreed. Revenues raised by local management should be used locally to enhance locally devolved assets to further deliver growth in the local community. Gain: Income from all moorings, and moorings for pontoons and local aquaculture and seabed leases for piers and reclaimed foreshore stays in the community.
- After cost incurred for administration of the Scottish National Assets are deducted any profit and surplus could be divided as follows:
- An agreed proportion of profits should benefit local coastal communities or local maritime regions and / or the marine environment.
- An agreed proportion of revenue and rental should be invested in new infrastructure and future grant funding. *Examples: Coastal Communities Grants, A new Marine Fund, similar to the Land Fund to help coastal communities acquire and manage marine assets.*
- An agreed proportion should be re-invested in research. Research could be shared with the UK and the EU.

BRIDGING THE GAP

- Agreements with organisations at present managing, leasing or purchasing assets and infrastructure from the CE should be honored and where necessary re-negotiated with the Scottish Government to secure further advantages to remote and rural coastal communities

- The policy of investing in a necklace of ports and harbours to encourage the growth in Marine Tourism is continued to create new jobs and a secure future for the next generation in remote Islands and peninsulas.
- Offering positions to experienced Crown Estate Personnel within the new Scottish organisation would ensure a seamless transition and would give comfort to all major sectors, stakeholders and users.

Tobermory Harbour Association