

## **RURAL ECONOMY AND CONNECTIVITY COMMITTEE**

### **ISLANDS (SCOTLAND) BILL**

#### **SUBMISSION FROM SCOTTISH ISLANDS FEDERATION**

##### **1. The Bill creates a duty to publish a national islands plan and lay it before the Scottish Parliament. What are your views on this provision?**

The Scottish Islands Federation (SIF) warmly welcomes this provision in principle, anticipating development of suitable policy frameworks to support appropriate strategic measures which facilitate and enhance the sustainability, resilience, prosperity and quality of Scottish island life.

SIF applauds Scottish Government commitment to islands and is keen to support effective arrangements for implementing and monitoring the plan over time to ensure that momentum is maintained. SIF recognises potential for many islands to prosper more through focussed development of inherent local assets, in terms of both people and place - embracing considerations of culture, skills, capacity, demography, connectivity, infrastructure, provision of essential services, biodiversity, natural resources and more.

In discussing the plan itself with our members we would like to share the following points:

- Overall the plan should focus on the positive and recognise the enormous assets that our islands hold - people, land, community, enterprise, to name but a few. Releasing the potential of these assets should be at the core of the Bill and plan – Thomas Fisher, Young Start Project Leader, Cothrom Ltd.
- ‘Small Islands Think Big’ was the theme of our recent European Small Islands Federation conference in Orkney where we learned of many inspiring examples of enterprising ideas from islanders across Europe. People living on the islands are well placed to shape and influence the plan so island community interests should be invited and encouraged to participate in its development, monitoring and implementation.
- The plan should include a strong commitment to subsidiarity, recognising potential merits of devolving local decision making beyond Local Authorities to island communities themselves. While some Community Planning Partnerships might potentially facilitate this process, SIF’s experience is that CPP’s are not always alert or responsive to island community voices. The Scottish islands Federation is dedicated to representing interests of our members and keen in principle to collaborate with other bodies so that grassroots voices are properly heard and heeded, especially by mainland policy makers concerned with more effective approaches to island governance.
- The plan should include specific strategic actions to support the sustainability of island communities by tackling key challenges highlighted by SIF’s 2016 survey

of island concerns. These included considerations of employment opportunities, transport, digital connectivity, housing, access to education, health & social care, and high costs of island living. Island-focused solutions may entail innovative models for delivery of essential services tailored more to meet local needs and priorities rather than national regulations or standards.

- SIF would like to see the national islands plan establish a staffed 'Islands office' within the Scottish Government to ensure that policies are properly island proofed through dialogue with islanders whose perspectives and local knowledge may usefully inform policy makers. In addition, islands could be amongst the hardest hit communities in the UK as a result of leaving the EU. SIF is particularly concerned that Scottish Islands' enviable potential for local renewable energy generation and carbon reduction could and should be exploited to nurture resilience and counter otherwise declining prospects for islands associated with Brexit
- In order to measure success effectively and to ensure that island population size does not dictate priority, SIF advocates a programme to identify key indicators for sustainable islands and to gather baseline data in order to monitor change over time for each island. Island statistics are currently patchy and inconsistent and many small islands within Scotland and across Europe are currently 'invisible' at EU level due to the classifications used
- SIF draws the attention of the REC committee to a current programme of work by ESPON to reveal territorial potentials of islands, mountains, sparsely populated and coastal regions in Europe to shape new policies. For a report of presentations and discussions which took place at ESPON's Seminar on the theme in May 2017, please see: <https://www.espon.eu/sites/default/files/attachments/Synthesis%20report%20-%20seminar%20in%20Malta.pdf>
- The principles of the Smart Islands Declaration, supported by North Ayrshire, Highland, Argyll and Bute and Shetland Islands Councils should also inform the plan. The declaration acknowledges islands' potential to become Smart Islands, ie insular territories committed to mitigation of climate change and adaptation as necessary, through sustainable local economic development to support resilient and vibrant island communities sharing a good quality of life. More islands might prosper sooner subject to optimised ICT capacity and innovative financing schemes, to encourage implementation of smart and integrated approaches to inclusive stakeholder engagement in governance arrangements concerning management, stewardship and development of local infrastructure, natural resources, and the local environment as a whole including the wellbeing of local islanders.
- SIF cautions against the plan being too prescriptive and detailed to avoid dysfunctional new layers of bureaucracy. Rather, it should be visionary and robust but flexible enough to deal with changing needs. The plan should reflect differences between the islands and not assume 'one size fits all'. Potentially,

every island could be encouraged to develop its own plan based on local needs, opportunities and aspirations, as part of a national plan.

**2. The Bill will require Scottish Ministers and certain Scottish public authorities, to prepare island impact assessments. Do you agree with this provision? How do you think it should work in practice?**

SIF very much welcomes the commitment to the principle of island-proofing policies as a duty to island communities and agrees that a duty should be placed on relevant authorities to undertake island impact assessments as appropriate as a potentially crucial measure to deliver aspects of island proofing. Other points raised in discussions include:

- There is lack of clarity concerning the process of triggering assessments and also who may be involved. Will island communities have a right to request an assessment? Who determines what a 'significant' impact is and what evidence may be required to show that views of island communities have been sought, and considered? SIF would expect assessments to involve and report consultations with islanders, as appropriate.
- SIF notes that impact assessments are anticipated only for developments that occur following due process to pass provisions of the Bill into law. SIF suggests that assessments of island implications regarding some existing legislation, policies and practice might be more effectively island proofed through retrospective assessments.
- Island impact assessments will be an important tool to measure and therefore avoid or mitigate a negative impact. We would like to see assessments and wider island proofing extended to take account of positive impact to enable and drive opportunity.
- In many instances island proofing and impact assessment may come down to accepting the need to be more flexible and adapt things to suit an island context.

For example a 'one size fits all' approach to planning is detrimental to the islands. In terms of energy efficiency and fuel poverty, it is important that programmes are island proofed to fit locality and circumstances and acknowledge that island renewables allows production of clean electricity, which should count in terms of decarbonisation, instead of being penalised as in Orkney. In terms of waste, the higher cost of transport to islands should be considered, as well as the burden of having to get rid of marine plastics. Distance to market and transport integration are also aspects that need to be taken into consideration.

- Island proofing and impact assessments should ideally be extended to all bodies with island functions and services as it is not only government bodies that have an impact on islands. For example, utilities companies, communications providers, fuel, postage, transport, regulatory bodies etc. Charities, social enterprise and development bodies also may be funded to provide a Scotland-wide service but in reality islands are often excluded due to the additional costs. The growth in area designations and protection, while welcome in many instances, can also lead to local constraints that need to be addressed:

It is recognised that the concept of the protected area, such as National Parks, Areas of Outstanding Natural Beauty (ANOBs), Sites of Special Scientific Interest (SSSIs), Special Areas of Conservation (SACs) and local nature reserves etc. is in place principally to ensure ecological diversity, valued habitats and landscapes are identified and protected from harmful activities, and that these designated areas should be adequately maintained and conserved for future generations.

Nevertheless, in the island context there is growing concern that top-down regulatory controls and planning policies, often emanating at international and national levels, relating to these island rural and marine protected areas are designed and implemented without sufficient local stakeholder input or understanding concerning community, economic and social impacts and outcomes. This process seems to be somewhat inconsistent with dialogue apparently supporting the concept of local communities being granted a greater degree of autonomy and more bottom-up decision-making powers. The plan should therefore include the means by which to regularly examine the effects of protected areas policy and regulatory controls in relation to community, economic and social impacts and outcomes balanced against environmental factors - Ian Paterson, Chief Executive, Stòras Uibhist

**3. The Bill proposes to protect the Scottish Parliamentary constituency boundary of Na h-Eileanan an Iar (the Western Isles) from change. Do you agree with this?**

Yes.

**4. The Bill proposes to make an exception to the rules for local government electoral wards to allow areas with inhabited islands to return 1 or 2 members (instead of the usual 3 or 4). What are your views on this proposal?**

SIF notes that current arrangements can tend to exclude islanders from decision making which affects them – for instance, Cumbrae and Arran are not represented by their own member because there is a perception that their combined population is too small. SIF therefore agrees in principle that there should be the flexibility to have 1 or 2 member wards, albeit that the capacity of some island communities to muster representatives and meet the administrative requirements may be limited.

SIF also recognises scope to overhaul structures of local government to better meet island needs in some areas.

The Bill also needs to provide a clear communication structure for island representatives into the Local Authority administration – our experience highlighted that even with two resident elected members, the risk is that they are not part of the administration group and therefore the island voice into decision making can be severely limited – Bill Calderwood, Isle of Arran Community Council.

**5. The Bill will provide a regulation-making power for the Scottish Ministers to create a marine licensing scheme for coastal waters. Do you agree with this power? Do you have any comments on how it should be used?**

SIF accepts need for regulation and licensing of coastal waters but advises that some coastal communities may be better placed than Council authorities to assess local implications of marine developments, so in general major decisions should be informed by close consultation with communities most directly affected. In areas

where a Community Development Trust operates, there should be a presumption in favour of consulting them along with other statutory consultees.

SIF suggests that local Development Trusts and similar agencies (e.g. Tobermory Harbour Association) may be well placed to represent and pursue the interests and aspirations of island communities in some instances, especially in terms of developing the potential of local shorelines and fisheries as community controlled assets.

SIF proposes that revenue currently generated by Crown Estate through marine assets associated with islands (including aquaculture, fisheries, port and pontoon facilities) should generally be re-invested in islands, through competent community bodies.

Regulation should allow for island communities to influence decisions out with 12 nautical miles where development of offshore activity may also entail shore-based activity on islands.

There may be need for clarification of decision making prerogatives where development proposals for a marine area span jurisdictions of two Local Authorities with different perspectives and interests.

## **6. Does the Bill achieve its aims and are you in favour overall? Is there anything else that you feel should be included or excluded from the Bill?**

Overall SIF is in favour of the Bill insofar as it anticipates development of a national islands plan, proposed details of which our members look forward to shaping and commenting upon in due course. Other comments received on the Bill and endorsed by SIF include:

- The Bill and its island proofing measures should be about releasing the constraints that hold back our islands: the crown estate; the electricity charging framework that prices electricity according to distance from an urban centre and thus makes our abundant renewable energy asset uneconomic; the lack of connectivity, preventing people running internet based business from choosing to settle on wonderful islands with all their potential.
- The Islands Bill and the associated national islands plan should effectively extend encouragement and support for all islands to fulfill their potential as attractive places to live and work. At our recent gathering of European islanders, Orkney was recognised by our partners as one of a growing number of 'lighthouse' islands, leading the way in smart island development in some important respects, yet effectively obstructed in others. Whilst Orkney could produce more than enough energy to meet all its needs, generation capacity is currently curtailed due to grid constraints. Meanwhile, such disproportionately high costs for energy apply to Orcadians, that many are reported to be living in fuel poverty. More joined up thinking is required to inform more effective policy making.

- An increasing number of island communities are demonstrating that we have the ambition, vision, capacity and capability to run more of our own affairs competently and also to drive local development to address island concerns and priorities. A significant proportion of Hebrideans now share benefits and responsibilities of community owned land and property. An ongoing programme of community capacity building should aim to generally increase local islanders' control and influence over our respective islands.
- Through SIF, Scottish islands enjoy stronger connections with other members of the European Small Isles Network. Such networks are invaluable to island purposes in terms of sharing information, knowledge and ideas, concerning the whole range of generic insular challenges we each face. Recognising opportunities to avoid reinventing wheels, SIF advocates benefits of transnational collaboration between island communities to facilitate exchange of learning and good practice. SIF would welcome Scottish Government commitment to support such ongoing arrangements to build grass roots capacity of island communities post Brexit.
- Through association with European island colleagues, SIF appreciates merits and disadvantages of different approaches to governance applying to islands, noting that Scottish Local Authority areas are amongst the largest in Europe. Many Scottish islanders might reasonably complain of the remoteness of Council administrations, especially those which are mainland based or effectively marginalise the influence of islanders over important decisions affecting us. SIF would welcome Scottish Government commitment to strengthening local democracy and enhanced governance arrangements for islands to empower island communities.
- In the context of leaving the EU, SIF feels the plan and Bill should be underpinned by commitment to a new territorial cohesion policy for Scotland, adopting principles enshrined by Articles 170 and 174 of the Lisbon Treaty, particularly in terms of linking islands, landlocked and peripheral regions with the central regions of the Union (Article 170) and particular needs of geographically disadvantaged regions and territories such as islands (Article 174).
- The overall aim should be to create a more level playing field and parity in order for islands to flourish. The plan will set the vision and the impact assessments will consider the effect on islands – these need to be underpinned by people, resources and investment to actually make things happen.
- In line with the Smart Islands Declaration SIF would like to see a smart new deal for islands which expedites participation of more islanders in shaping our own sustainable futures, including by tapping into local assets surrounding us.
- Experience indicates that synergies can be achieved through engagement of public, private, academic and community interests collaborating as stakeholders

in island development projects, since grass roots initiatives may be over dependent upon the capacities and commitment of island volunteers.

## **7. Do you have any comments on the bill in relation to human rights or equalities?**

While the challenges of island life are recognised, there is often a presumption held that islanders should just get on with it as it is their own choice to live on an island. In fact SIF is aware of various examples of policies which are not island proofed which have implications for human rights and equalities. The right to family life is effectively denied to many young islanders who are expected to board out to attend secondary school. Access to Health Services can also be problematic for islanders expected to attend short appointments in distant hospitals which may necessarily entail spending a night or more on the mainland. Elderly people having to travel so far from home to get the care they need.

Islanders accept that there cannot be the range of choices available to us as in urban areas but strongly contend that we should expect equal access to essential services such as medical treatment, education, housing, utilities, fuel, waste disposal, IT connectivity, housing and transport.

Out of necessity comes innovation and opportunity. An increasing number of Scottish Islanders have become involved in the work of local development trusts over the past 20 years, and SIF is proud to share details with islanders overseas. Scottish Islanders working together as NGOs can demonstrably achieve significant positive change for our island communities in terms of housing, health and social care, infrastructure, facilities, services and renewable energy projects than might ever have been imagined by local and central government officials and politicians even at the end of the last millennium.

Given capacity building support and resources, in the context of frameworks implied by the Islands Bill, SIF is confident that Scottish Islands may be in a strong position to demonstrate resilience and sustainability for decades ahead, despite challenges of climate change and massive economic uncertainties.

Some of us are inspired and excited by the potential of islands as test beds and proving grounds for innovative new technologies (eg the school fueled by hydrogen derived from tidal energy on Shapinsay, or electric storage heaters with broadband to enable households on Mull to optimise value of energy generated by the community's own hydro power scheme).

Potentially, islands are also living laboratories, precisely defined communities of common interest, where new approaches to more effective and inclusive structures of local governance might be favoured by many over existing arrangements whereby island interests are too often peripheral to the primary concerns of mainland policy and decision makers.

Scottish Islands Federation  
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