

Scotland's Rural College

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Published in:
Local Environment

DOI:
[10.1080/13549839.2015.1058769](https://doi.org/10.1080/13549839.2015.1058769)

First published: 19/06/2015

Document Version
Peer reviewed version

[Link to publication](#)

Citation for pulished version (APA):

Markantoni, M., & Aitken, M. (2015). Getting low-carbon governance right: learning from actors involved in Community Benefits. *Local Environment*, 21(8), 969 - 990. <https://doi.org/10.1080/13549839.2015.1058769>

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Getting low carbon governance right: learning from actors involved in Community Benefits

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Abstract

Interest in Community Benefits has increased over the past decade mainly due to the growing number of wind farms and related criticism. Because Community Benefits are a voluntary gesture by the developer, there is no standard practice or institutionalised approach for good governance of the benefits; every community has a different approach, tailored to local needs and depending on the stakeholders involved. Additionally, since Community Benefits are a rapidly emerging practice, little is known about their governance, what actors are involved and how affected communities participate in decision-making on renewable projects. Using the Farr wind farm in Scotland, one of the first to introduce Community Benefits, as a case study, this paper sheds light on the governance structures surrounding the set up, management and allocation of funds. It also contributes to the emerging body of work regarding transparency and community participation in Community Benefits, and the extent to which these might facilitate a transition to a low carbon future.

Keywords: Community Benefit policy, Low carbon governance, Community engagement

Introduction

Transition pathways to a low carbon future have been a recurring strategic priority in recent climate and energy policies. Shiva (2008, p.8) identifies a ‘unique social and ecological challenge’ resulting from climate change and the energy crisis, while North (2010) foresees that humanity will undergo a series of interlocking crises. The movement towards a low carbon future is often seen as a response to these crises (da Graça Carvalho et al. 2011).

For many countries, including the UK, the transition to more sustainable forms of energy production and consumption, is high on the political agenda mainly through efforts focussed on enhancing energy security and reducing greenhouse gas (GHG) emissions (DECC 2013). Scotland is a frontrunner in this field. Scotland’s strategic priorities include moving towards a low carbon society supported by its natural resources but also by its legislative framework and policies (Scottish Government 2010; 2011a). Scotland currently has one of the world’s most ambitious targets for reducing GHG emissions. With an interim target of a 42% reduction in GHGs emissions by 2020 and 80% by 2050 (Climate Change Act 2009), Scotland is aiming higher than both the UK (34% by 2020) and the EU (20% by 2020 and 40% by 2030, EC 2014). By 2020, Scotland’s goal is to meet 100% of its electricity demand from renewable sources. To reach these targets, Scotland has updated its economic strategy to include a new priority: ‘Transition to a Low Carbon Economy’ (Scottish Government 2011). In other words, Scotland wants to become one of the leaders in green energy by promoting sustainable economic growth (Scottish Government 2008).

The governance and institutional changes required to make the transition to a low carbon future are often underestimated or insufficiently addressed (Andersson et al. 2010). Such a transition represents a challenge for governance which has been stretched by the imperative to address problems of climate change, which reach *‘upwards the world stage and downwards to regions, local communities and households’* (Peters et al. 2012, p.2). National

governments are often unable to effect a transition to a low carbon future without the support of local actors and democratic participation of communities (Peters et al. 2012). It is important that low carbon choices and strategies resonate at the community level where renewable developments are taking place.

One challenge evident in the UK relates to how communities can benefit from and participate in decision-making concerning renewable developments in their local area (Aitken 2010a). In Scotland, one answer to this challenge is the provision of Community Benefit Funds (CBF) by energy companies as part of renewable energy projects (Meacham 2012). These are charitable investments in the communities where projects are based. As Community Benefits (CB) are voluntary, developers are not obliged to provide them and this often results in a lack of guidance for good governance (Aitken 2010a). Examples of CBF include: the Fintry Development Trust¹, the Neilston Development Trust² and the CB Policy from the Highland Council. Scotland presents a good context to further explore challenges surrounding the provision and governance of CB which in Scotland are increasing in both number and type. Further, Scotland's Local Authorities (LAs) have a central role in implementing the Scottish Government's low carbon legislations (Jackson and Lynch 2011, p. 130), and many of them have developed their own guidelines for CB packages to ensure that communities benefit from nearby renewable projects (Meacham 2012).

By drawing from Scottish experiences on CB, this paper: 1) enhance our understanding of governance structures in the emerging CB policy landscape; 2) contribute to the emerging body of work regarding the challenges and opportunities of CB regarding issues of transparency and community participation; and 3) explore the extent to which this facilitates low carbon activity at the community level.

¹ For more information on Fintry Development Trust, see <http://www.fintrydt.org.uk/> [accessed 2 February 2015].

² For more information on Neilston Development Trust, see <http://www.neilstontrust.co.uk/> [accessed 2 February 2015].

The next section touches on the concept of governance and current low carbon governance at the national, regional and community level, followed by an overview of CB in Scotland. The methodology and data collection for this study are then elaborated. The governance structure of the Farr wind farm is discussed in more detail in the results section. Finally, conclusions are presented together with recommendations for future research and policy.

Governance and the low carbon agenda

While definitions of governance are diverse and complex (Menhen et al. 2009), the term is often used to describe how societies, organisations and networks are steered in order to reach common goals (Andersson et al. 2010). Governance also concerns how social interactions are coordinated, what Mayntz (1998) calls ‘social coordination’ involving different actors from the public, private and third sectors. Brenner and Job (2012) conclude that multi-layer and multi-actor governance is required to expand the participation of civil society in more democratic decision-making to achieve ‘good governance’. However, although there is a desire for increased community participation, that does not imply an equal relationship and distribution of power among all the actors involved. It is often argued that national governments make the final decisions (Dijkstra et al. 2008).

In view of the growing international impetus to tackle climate change, coordinated actions at the global and national levels are vital. However, there is increasing awareness at the sub-national dimension, including regional and community actors (Aiken 2012), of the impacts of climate change, and regional and community actors are becoming more actively involved in decision-making processes. Community level participation can also enhance the ability of rural communities to earn or sustain their livelihoods through, for example,

undertaking renewable energy projects (White et al. 2008). Shaw and Theobald (2011) argue that in the UK the climate change agenda should rest mostly on the shoulders of LAs and on their vision for their particular communities. An exploration of how low carbon policies and legislation are put into practice, and who is involved, forms the basis of our review of existing low carbon governance in Scotland.

Low carbon governance in Scotland

When the Scottish Parliament was formed in 1999, one of its goals was to develop a new approach to policy making by moving from a top-down model of government towards inclusive governance (Brown 2001). It has stated that legislation alone is not enough to achieve a low carbon future; rather, legislation *'needs to be translated into real changes in everyday actions: by businesses; the public sector; voluntary and community groups; and individuals'* (Scottish Government 2009a, p.1).

In this paper we draw particularly on experiences from CB in Scotland, where devolution has allowed regionalisation and a more inclusive governance approach (Lyll 2007, p. 9). Before the 2014 referendum, the Scottish government (2013d, p. 293-295) stated that an independent Scotland would: *'show international leadership in tackling climate change'* and maximise the benefit of energy wealth, including *'developing new models of community ownership and Community Benefit from energy generation and delivering real community empowerment'*.

Governance at the national and regional level

In Scotland, the public sector plays a key role in the delivery of services. This is aligned with a stated aim of the Scottish Government's National Performance Framework to create 'a

more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth' (Scottish Government 2011b, p. 1). Scottish LAs have a responsibility to contribute to climate change programmes. In order to meet the statutory targets, LAs must integrate climate change into their business structure utilising their expertise and skills in procurement and planning processes (Jackson and Lynch 2011). LAs are also subject to the UK-wide Carbon Reduction Commitment. In general, The Climate Change (Scotland) Act of 2009 defines the legislative role of LAs in delivering the emission reduction targets. LAs also signed the Climate Change Declaration in 2007 (SSN 2007), which commits them to reduce GHG emissions and to work in partnership with their communities.

Politically, LAs are responsible for ensuring that government goals are implemented in their communities. To this end, they have to strengthen democratic participation, governance and leadership at the local community level to support a transition to a low carbon economy which confers visible local benefits – e.g. the reduction of energy bills, better health and quality of life, and new jobs (Jackson and Lynch 2011).

While some responsibilities have devolved to LAs, the main power to achieve the CO₂ targets remains at the centre. LAs have the potential to act as facilitators of local networks through their Local Partnerships and Single Outcome Agreements. However, effective multi-agency cooperation remains a challenge (Shaw and Theobald 2011). LAs vary in their capacity for and knowledge of a transition to a low carbon economy, which could result in a lack of coordinated action at a national level. Furthermore, concerns over cuts in public spending may lead some LAs to concentrate on mainstream issues at the expense of climate change actions (Audit Scotland 2010).

The role of LAs is not only to meet the government's low carbon targets. They also have the potential to directly involve communities in shaping their future and creating

opportunities to engage with the low carbon agenda. It is often argued that LAs have to bring different stakeholders together to tackle climate change and to ensure that *'all sectors of a local community are informed of, and have the opportunities to engage with, the low carbon agenda'* (Shaw and Theobald 2011, p. 13).

Governance at the community level

A shift towards a decentralised governance approach with wider political engagement is not far away (Abrahamse 2012, p. 61). In light of climate change challenges, local governance is being placed at the forefront. This is mainly because collaboration involving a wide range of stakeholders at the local level is important for tackling global challenges (Jackson and Lynch 2011). National governments are not able to promote a low carbon transition without the support of local governments and the engagement of communities. Peters et al. (2012, p. xvii) also talk of a *'hunger of new forms of community spirit and cooperation as a reaction against excessive individualism and marketization and as a key part of sustainable living'*. Enhancing involvement at the community level is therefore seen as fundamental. In Scotland, the Community Empowerment and Renewal Bill as well as the Scottish Public Engagement Strategy aim to strengthen community participation and their role in decision-making (Scottish Government 2012a).

Governments are increasingly 'using' community uncritically in their response to tackling climate change (Aiken 2014). This is referred to as 'government by community' (Raco and Imrie 2000). For the Scottish government, 'community' is central to the transition to a low carbon economy. For example, in one of its Energy Pledges the government committed to promote *'community based, decentralised and sustainable generation'* (Scottish Government 2009b, p. 18). This focus on community is also found in the Climate Challenge Fund, where one of the criteria for funding applications is that the community should be the

one which makes decisions (Keep Scotland Beautiful 2013). Community engagement is assumed to be effective in tackling climate challenges and governments often use communities as instruments of policy (Aiken 2014).

The Scottish government asserts that community involvement must be considered in the early stages of renewable projects (Scottish Government 2014), as this will enable development plans and development proposals to reflect community needs and will also improve the fairness of the planning system (Scottish Government 2010d, p. 31-32). There are clear and significant emphases on community engagement in policies and guidance relating to renewable energy planning and CB. However, such commitments do not translate in a straightforward or predictable way into meaningful engagement – or empowerment – in practice (Aitken et al. 2014, Aitken 2010b). It is therefore important to examine how engagement is carried out and how community members become involved in decision-making processes to understand how this takes place, to what extent people are empowered and how this relates to governance. This paper focused on CB in Scotland and unpacks the governance structures in order to understand the role and participation of communities in decision-making processes.

Various definitions of community are found within the field of community studies (Crow 2002). Especially with regard to the low carbon agenda, Walker (2011) identifies a number of interrelated meanings of community: community as actor; community as scale; community as place; community as network; community as process; and community as identity. Author A and Author B (2014, p. 4) argue that this diversity of definitions suggests that care should be taken when exploring the roles and implications of community in policy and practice. In the case study analysed here, the developer determined that communities should receive CBF according to their geographical proximity to the wind farm.

Community Benefit in Scotland

Interest in CB programmes has increased over the last decade especially because of the proliferation of wind farms and the complaints surrounding them (e.g. noise, shadow flicker, and the threat to the wildlife). CB is voluntary and refers to the financial or in-kind benefits provided by developers to communities affected by renewable projects in their area. Developers are currently operating according to an informal, voluntary code of practice (Venlo and Docherty 2012). According to the Energy Saving Trust (2014), the ‘Community Benefit gesture’ refers mainly to large-scale (on-shore) renewable developments. The benefits are agreed upon after the project has received planning permission and are based on the needs of local people and not on the impact of the project (LES 2014b).

Although CB have historically been built into wind power developments in other EU countries (e.g. Germany and Denmark), this has not been the case in the UK (Vento and Docherty 2012). However, they are increasingly becoming standard practice as recognition of the impact of renewable developments on nearby communities (Consumer Focus Scotland 2012). Renewable energy generation by agricultural businesses in Scotland is also set to contribute to CB. Recently, Scotland’s agri-renewables strategy included seeking ‘community involvement and benefits’ to ensure that communities will share the ‘advantages of on-farm renewable energy’ and to increase community cohesion and local economic development (Scottish Government 2014, p.1). If CB are managed strategically, they could be a long-term source of investment for rural communities (Vento and Docherty 2012). CB are conceptualised (often simultaneously) as both compensation to ‘affected’ communities and also as more positive mechanisms for sharing the financial benefits of developments. This dual role can lead to conflicting understandings of the function of CB and of which communities are legitimate recipients of benefits.

In 2013, communities around Scotland received £7 million worth of benefits (Scottish Government 2013c), placing CB high in the interests of policymakers and practitioners. In view of heightening interest and a lack of industry and policy consensus on what the best way to provide CB, many Scottish LAs have developed their own guidelines (Vento and Docherty 2012). Some LAs administer these benefits centrally, while others make direct payments to the communities. The benefits range between zero and £5,000/MW per year, or might be linked to the output of the site on an annual basis (ClimateXChange 2013). CB arrangements also vary in terms of how the funds are structured. Large commercial energy companies also have their own CB policies, which creates confusion and a lack of consistency on how CB funds are set up. CB have therefore ‘evolved in a piecemeal manner’, with diverse models being implemented by commercial developers, LAs and communities (Meacham 2012).

Although the Scottish government does not have the institutional power to secure benefits from developers, developers of onshore renewables have encouraged the government to provide national guidelines in order to establish a transparent CB mechanism, enhance understanding of procedures and allow communities to maximize local gains (LES 2014b). In response to this, the recent report on ‘Good Practice Principles for Community Benefits from Onshore Renewable Energy Developments’ outlines basic principles for voluntary CB packages, including how to: a) define communities; b) go through public consultation in order to maximise transparency; and c) effectively support the received funds (LES 2014b). In order to maximize transparency and demonstrate good governance and the inclusion of various voices, Jennifer Ramsay, Community Benefits officer at Local Energy Scotland, was explicit about the importance of seeking *‘opinions from all stakeholders on the good practice principles, as we endeavour to produce a valuable document which can inform those engaging in Community Benefit discussions throughout Scotland’* (LES 2014a).

Community Benefit good governance

The importance of good governance and good decision-making for CB is frequently highlighted (LES 2014b; Scottish Government 2014; Foundation Scotland 2014). The government supports decision-making at the local/community level but it also recognises that expert advice could be required to aid decision-making and facilitate processes (e.g. how to spend funds, administration assistance, and consultation support). The government is clear about maximizing community gains: *'it is important to make sure the correct mechanism and governance is in place to allow for the community's wishes to be met'* (LES 2014b, p. 20).

There are also guidance packages proposed for good governance mechanisms, such as the one from LES (2013) highlighting the importance of governance and the need for efficient ways to set up CBF. The processes - from the developer to the administration of the fund and project assessment - should be open and decisions must be justifiable to ensure that everyone in the community can express his/her opinion (LES 2013; 2014b). Here good governance is understood as *'the good practice running through each organisation that operates efficiently and fairly and where transparency in decision making is fundamental'* (LES 2013).

Clearly, no single CB structure is the same; there are various models of delivery. Meacham (2012) provides a summary: 1) third party involvement; 2) developer as grant provider; 3) Community Benefit Trusts; and 4) co-operatives and share schemes. All these different models – from low-level community involvement to partnerships – require different governance structures.

Methodology and data collection

This paper draws on the previous work of Author A and B (2014), which examined the role and contribution of rural communities in Scotland's policy and governance of the low carbon agenda. For further analysis, we draw on the case study of the Farr wind farm in the Highlands, one of the first in Scotland to have a CBF and which was identified by the Highland Council as a good case example of an effective low carbon governance structure.

Several social research methods were applied in this study to elucidate the governance structures. First, participant observation (visits to the communities of Strathdearn and Strathnairn – in February and March 2014) was undertaken to gain an in-depth understanding of the experience and feelings of the local residents regarding the CBF. This method enabled us to understand social interactions among local residents, familiarise ourselves with the community and its culture, and recruit respondents to be interviewed. It also provided us with questions to be addressed in interviews (Bernard 1994). Second, several key informants (12) were interviewed face-to-face (between December 2013 and May 2014), including representatives from the private (RWE Renewables), public (Highlands Council, Scottish Government) and third sectors (Local Energy Scotland, Consumer Futures, Scotland Foundation, Scottish Renewables and representatives of the protest group Scotland Against Spin). Representatives from the Strathdearn and Strathnairn community councils and the CBF (5), and local residents (5) were also interviewed as part of this research (between February and April 2014). Each interview lasted between one and one-and-a-half hours, was tape-recorded, transcribed and coded. Box 1 summarizes the main themes discussed during the interviews. Face-to-face interviewing was used because it allowed in-depth elaboration (which is important for a deeper understanding of *who*, *why* and *how* questions [Saunders, Lewis, and Thornhill 2003]) and helped to explore feelings and attitudes (Valentine 2005).

Finally, a thorough document analysis was conducted of material from the community meetings on the Farr wind farm and the CBF (both publicly available and other material³), local community newsletters, community action plans and community websites.⁴ Document analysis helped to uncover meanings, develop understandings and discover insights relevant for the research (Bowen 2009).

The data were analysed using the constant comparison method, which involves breaking down the data into smaller parts and coding them by categories (Glaser and Stauss 1967). As Taylor and Bogdan (1984, p.126) explain: *“The researcher simultaneously codes and analyses data in order to develop concepts; by continually comparing specific incidents in the data, the researcher refines these concepts, identifies their properties, explores their relationships to one another, and integrates them into a coherent explanatory model”*. The analysis of the data was done using the qualitative data analysis software MaxQDA.

To gain a better understanding of the complex CB governance structures, respondents were also asked to illustrate by drawing these relationships and explain how decision-making for setting up and administering CB took place. The results of these drawings are seen in Figures 1 and 2.

³ This includes recorded minutes from community council meetings in Strathdearn and Strathnairn during the negotiations with the developer, which are archived but not available online. These were obtained by personal communication from community council members.

⁴ See the Strathnairn Community website: <http://www.strathnairn.org.uk/index.asp> and Strathdearn Community website: <http://www.strathdearn.org/> [accessed 2 February 2015].

Historical overview of CB and CBF
 Local, regional and national CB governance structures
 CB and CBF decision-making process
 Degree of inclusiveness and equity in decision-making
 Diversity of stakeholders involved
 Networks and collaborations with other communities for negotiating CB
 Community members' relationships and friction caused by CB
 Impact of CB on community cohesion
 Aspirations for CB in the community and the region
 Contribution of CB to low carbon future
 Key mechanisms in the transition to a low carbon future

Box 1 Overview of research themes during the interviews

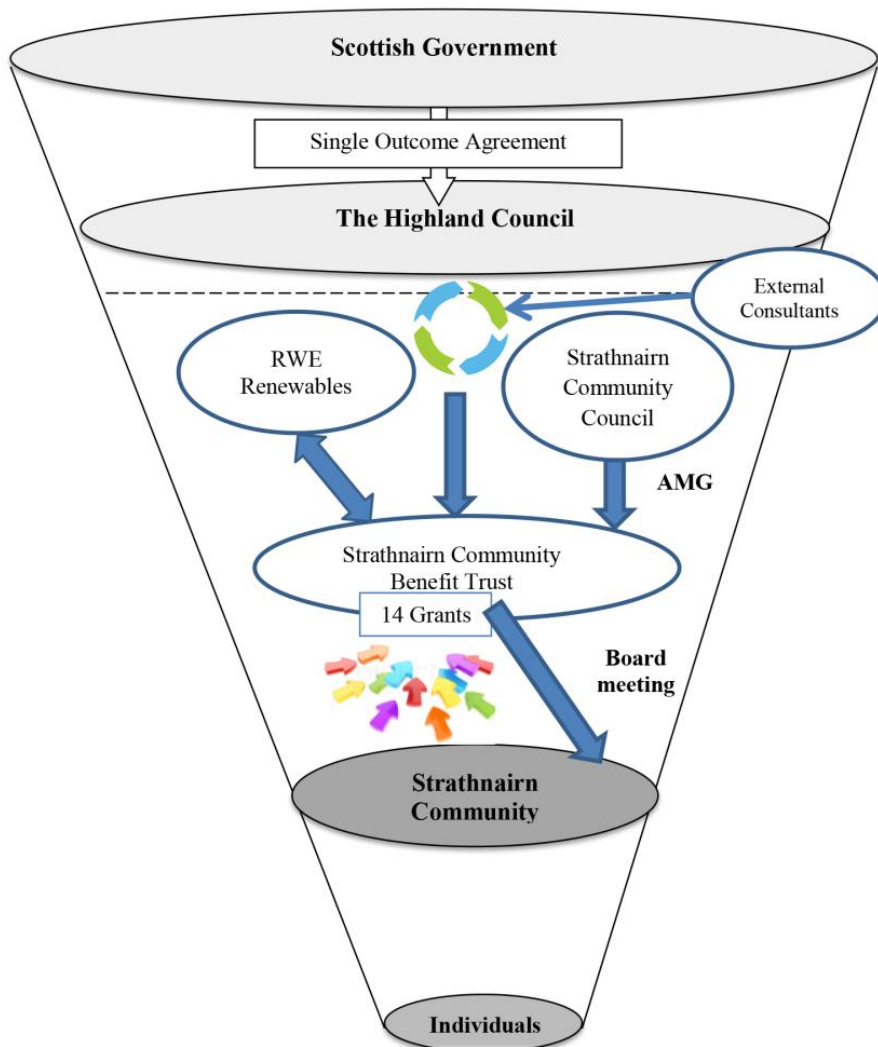


Figure 1. Strathnairn Community Benefit Fund governance.

Farr wind farm: the two separate local organisations

Farr, the third largest wind farm in the UK (at time of completion) with total installed capacity of 92 MW, has been in operation since 2006. It is claimed that the wind farm generates enough electricity to meet the annual needs of 53,500 houses, which is about half of all houses across the Highlands.⁵ This wind farm is also set to invest more than £3.5 million into local projects in *Strathnairn* and *Strathdearn*, the two communities near the site, throughout its lifetime (RWE Renewables nd).

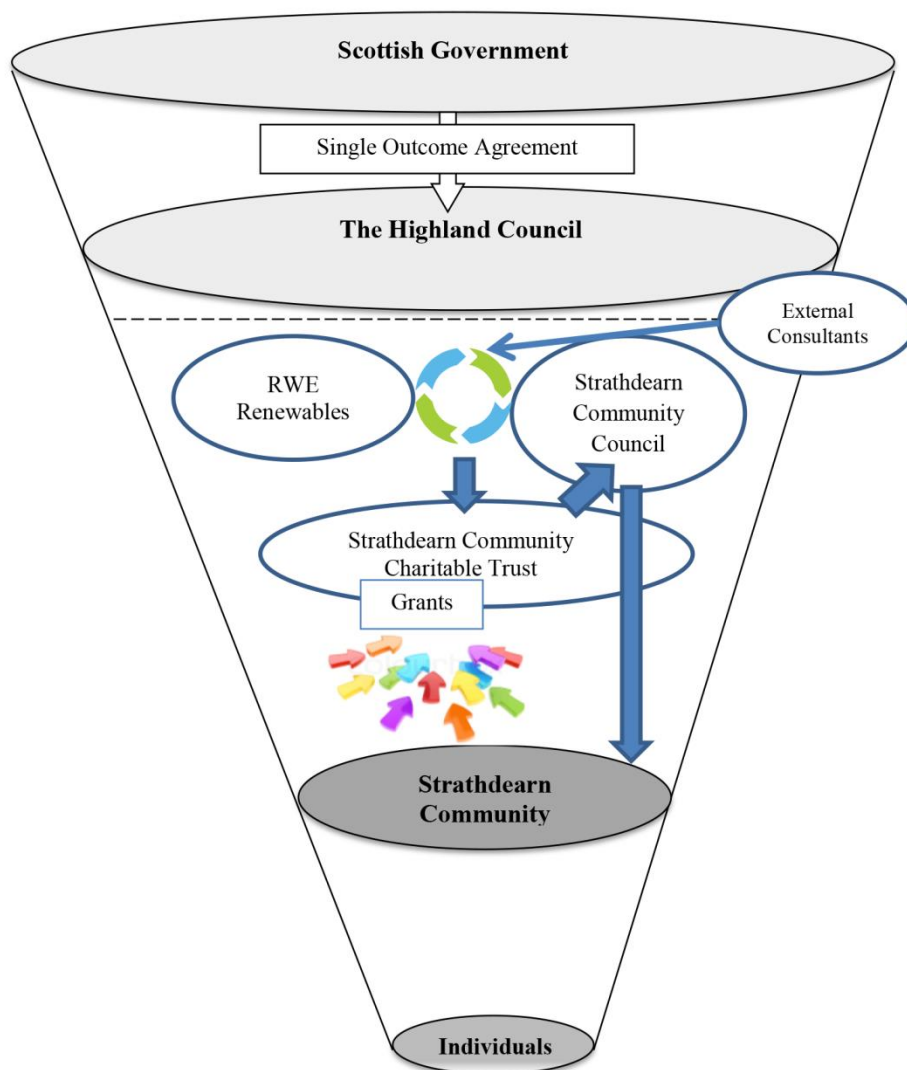


Figure 2. Strathdearn Community Charitable Trust governance.

⁵ According to the 2001 Scottish Census data there are 89,533 households across the Highlands. See www.scrol.gov.uk.

Year/date	Action	Strathnairn Community	Strathdearn Community
1996	Site selected	<ul style="list-style-type: none"> • Two open consultations with the community • Highlands Council recommendations for setting up a separate legal company • Community Council agreed to follow advice on setting up the benefit fund from the Highland Council and other legal advisors (exact dates are not known) 	<ul style="list-style-type: none"> • Various meetings between the developer and representatives from the community council until they agreed on £1,120/MW installed capacity • The developer requested that a Trust to be set up • Community Council agreed to follow advice on setting up the Trust from the Highland Council and from legal advisors (exact dates are not known)
11 September 2002	Planning application sent to Highland Council (including Environmental Statement)		
28 February 2003	Highlands Council approved the application		
5 October 2004	Scottish Executive full planning consent Work on access tracks began	<i>Community Benefit Fund set up</i>	<i>Community Charitable Trust set up</i>
27 August-2005		The first 12 directors on the board were appointed	
April 2005 - June 2006	Works started in 2005 and handed over to RWE Renewables in 2006		
18 March 2008			Community Council decided upon: <ul style="list-style-type: none"> • Community Benefit strategy • Revised Community Plan
2009 - 2014		Yearly monitoring of the Community Benefit Funds from the developer	
All information was collected from the in-depth interviews, recorded minutes of the Community Council meetings and publicly available online sources.			

Table 1. Timeline of Farr wind farm communication with the communities in Strathnairn and Strathdearn.

These two communities receive funds from the developer which are administered by two locally run charitable trusts, *Strathnairn Community Benefit Fund* (SCBF) and *Strathdearn Community Charitable Trust* (SCCT). Both local organisations were established in 2004 following discussions between the developer and the two communities. Table 1 illustrates the timeline of the communication events and the process from the time the location is selected to the time the wind farm became fully operational, and the negotiation processes with the local communities (information gathered via document analysis and interviews). As both communities fall under the Highland Council, we briefly introduce its CB policy here.

Highland Council's Community Benefit policy

The Highland Council started instituting policies for CB in 2003. It currently seeks a minimum of £5000/MW of installed capacity per year, with the Council negotiating with developers on behalf of communities. Its proposed funding allocation has the first £100,000 going to the nearest community, the next 55% to other local communities, the next 30% to 33 specific Wards and the last 15% to the Highland Council (The Highland Council 2012; Author A and B 2014).

Strathnairn Community Benefit Fund

Early negotiations and discussions

Discussions for setting up a CBF in Strathnairn started before the planning application process for the Farr wind farm. Two open consultations were held in the community to inform the local residents and then – after discussions between the Strathnairn community council and the developer, and also recommendations from the Highland Council and external advisors – the SCBF was set up. *‘The recommendation that we had from Highland Council was to have a separate legal company, which is also a charity. The community council does all the early negotiations with the developers, once it gets to the stage that the agreement is about to be signed, it then moves to the benefit fund’* (secretary, SCBF). The community council was the main negotiator with the developer and decided to set up the fund as a ‘Company Limited by Guarantee’ with the council as the sole member, which means that the council is the owner of the company and has control over the funds from the wind farm. Although the council is officially the owner of the SCBF, its powers are exercised only during the Annual General Meeting, where decisions are made on the appointment of directors and the approval of the financial accounts. As stated on the Strathnairn Community Benefit website, the community council *‘should not interfere with the management of the*

SCBF and cannot instruct the Board of Directors to take any specific action'.⁶ If, however, there are concerns about an issue, the council can give advice. Figure 1 illustrates in a funnel shape the governance structure of the SCBF. The influence in decision-making is diminishing from top to bottom.

The decision to set up the SCBF was made mainly by the community council. The council was placed at the centre of the negotiations with the developer for the development of the fund and was the actor that sought advice and support from the Highland Council and from external advisors on legal matters. The national government and LA did not contribute to negotiations with the developer, and they did not take part in decisions on where to spend the funds. This is also the case in the Highland Council's policy in 2003, where the preferred option was for communities to take the lead in negotiations to secure CB. A previous study also found that having the support from the Highland Council without any direct involvement was viewed in a positive light (LES, nd).

Application process

In Strathnairn, there are 14 grants streams to which applications can be made, relating to the low carbon agenda (renewable energy and home heating) and others (e.g. learning and development, and training)⁷ (see Image 1 for an overview of projects). The secretary receives the applications and checks whether they match the financial and legal criteria, and at every monthly meeting the 12 directors decide which grants to award. The secretary then sends a cheque and letter to the applicant, marking the end of the decision-making process. The allocation of the fund is therefore a decision of the community council directors without the

⁶ Strathnairn Community Website. Available from: <http://www.strathnairn.org.uk/index.asp?pageid=567524> [Accessed 3 February 2015].

⁷ Strathnairn, grants and applications. Available from: <http://www.strathnairn.org.uk/index.asp?pageid=524167>, [Accessed 3 February 2015].

wider participation of local residents, and this has raised concerns among the locals over accountability (as is illustrated in the results below).



Figure 3. Projects co-funded by the Farr Wind Farm (sports hall, playground, village hall, transportation for older people). Source: Authors.

Strathdearn Community Charitable Trust

Early negotiations and discussions

Strathdearn community council was also involved in early negotiations with the developer regarding benefits from the Farr wind farm. According to representatives from the community council and the CBF, various meetings were held with the developer until they reached the agreement of £1,120/MW installed capacity. However, the developer requested that a charitable trust should be set up, not a company limited by guarantee with elected members. After taking advice from the Highland Council and other legal advisors, the community council members decided to set up the SCCT (Figure 2). In 2004 there were no consultation recommendations on how to go about setting up a fund or instructions for negotiations between communities and developers.

Interviewer: *Was there a consultation back then?*

Chairman SCCT: *No. We took advice and went to the wind farm company and said 'this is what we are proposing' and they said 'terrific'! Used to sit in village halls and argue and tell him to go away and come back with a better offer, and eventually he came back with his final offer and we said 'right fine'.*

Former community council member: *Farr was the first, and all the different ways of doing things hadn't even started and they [developer] said 'Do you want a lump sum?' And we said 'yes' and so we created SCCT to look after the money.*

The developer also recognised that CB was something new to the industry:

We didn't have anybody that specifically worked on this...but over time and as the industry has matured, so has the Community Benefit significantly...the understanding and expectations of communities have matured, the understanding of politicians and a whole range of other stakeholders has significantly increased...it's now a very different climate from where we started.

At these early stages of negotiation, it is the community council who represent the community and negotiated on their behalf. To date, community councils are at the centre of the development of CBF as the main local level of statutory representation within communities. However, it is argued that community councils have to facilitate wider community involvement rather than being the key actor of decision maker for a community fund (Foundation Scotland 2014).

Concerns were also expressed by some local residents, who were not included in the negotiations with the developer, about the lack of public scrutiny in the early discussions of the CB proceedings, as they felt that the community had agreed to a less advantageous deal

than it might otherwise have secured. It was also thought that setting up a charitable trust rather than a limited company by guarantee made it *'less transparent and answerable to the community'* (local resident), mainly because the trustees are appointed and not elected and this might raise questions about the accountability as there is no clear process of identifying new members.

Application process

The process for deciding who receives the funds also differs from Strathnairn. All the applications received by the trust are sent to the community council of Strathdearn. The community council agrees about the applications which will be awarded during their monthly meetings. All received applications are read out, after which the community council chairman asks whether there are 'any comments from the public'. The trustees have effectively no power to object or make a different decision: *'We are the cheque signers because if the community want it, the community council agrees with it, we provide the money... So as a chairman of the trust I don't make decisions, the community make the decisions of what to spend the money on. So there are no closed doors'* (chairman, SCCT). This is also confirmed by local residents who attend the meetings. They said that the meetings were open and that procedures were transparent and according to the Trust Deed⁸.

Opt in/out the Highland Council's Community Benefit

Although the Highland Council has its own CB policy in place, both Strathnairn and Strathdearn decided to opt out as this was seen as better for the communities. For Strathnairn, what they have in place seems to work well for their community: *'We have a model that*

⁸ Trust Deed Strathdearn Charitable Trust. Available from: <http://www.strathdearn.org/about-strathdearn/charitable-trust.html>, [Accessed 3 February 2015].

works really well, it works really well for us, it works really well for the developers, we've actually made that decision to opt out' (secretary, SCBF). Strathdearn also chose not to follow the guidelines from the Highland Council, arguing that more revenue flowed into the community: *'It's far better for us and [to] the advantage of the community'* (chairman, SCCT), *'our community is not happy with this, our community wants to keep all the Community Benefit money'* (local resident).

Representatives from the two community councils and the CBF expressed their concerns about the Highland Council's policy, which partly explains why they chose not to follow it. Respondents mentioned that it is currently unclear 1) who will administer and have control over the money they receive from the developers if part of it goes to a Local, an Area or a Highland fund; 2) which communities will benefit from renewable developments (reflecting the selection criteria); and 3) open public consultations did not take place to discuss the Council's recommendations. However, these concerns are not new. Indeed, this CB policy has received a lot of attention from the media, renewables industry and academia (see Author A and B 2014), mainly due to concerns of transparency and payment distributions, but also regarding which communities should benefit from renewable projects, raising issues of environmental and social justice. Because of these concerns, developers have not contributed to the Area Fund or the Highland Trust to date (2015), although the CB policy was launched in 2012 (*Strathspey and Badenoch Herald* 2014). It is therefore not known whether such an approach would benefit communities and/or those located further away from wind farm developments. Discussions about the wider distribution of the CBF were an important feature of community debates. A few local residents recognised a potential misalignment between the direct affected communities and the impact on wider communities in the Highlands. They argued that the Highland Council's approach is 'fair', as they thought that some areas further away from the turbines would also be impacted and should therefore benefit as well, *'because*

Community Benefit comes from electricity bills, people in fuel poverty also are paying for it and basically contribute to the Community Benefit for our community' (local resident). Others expressed the opinion that to ensure *'much greater fairness the money should go into a central pot and be distributed over the whole country'* (local resident). By implication, it is the nearby communities who receive recompense and not the wider population (Cowell et al. 2011).

Good Governance

Within existing good practice protocols there is an emphasis on open dialogue for negotiating CB. Such processes are increasingly recognised as a fundamental component of good practice. While the two local organisations in our case study operate in different ways, representatives from each of the community councils and funds all stressed the accountability of their decision-making processes. In Strathnairn, the community is involved in decisions about the fund through its board. To achieve charitable status legally, the community council must be a minority on the SCBF board and there must be 12 directors of the fund. The directors are appointed after a recruitment process in order to ensure that *'every part of the Strathnairn was represented'*.⁹ Additionally, to guarantee that there is good representation of local residents, the frequent replacement of directors is fundamental. Every year four directors step down to make way for other locals and to ensure that locals are taking part in decisions regarding the fund and where the money is spent: *'We put up posters throughout the whole of the Strath, we put out flyers, we put out information in the community newsletter asking anybody in the community if they wish to come and apply to be a director'* (treasurer, SCBF).

⁹ Strathnairn Community Website. Available from www.strathnairn.org.uk/scbf.asp. [Accessed 14 March 2014].

Some local residents have raised concerns that having directors appointed rather than elected may make the process less accountable. The Articles of Association of the SCBF state that: *'No person shall be admitted a member of the company unless he is approved by the directors'*.¹⁰ Respondents also argued that it is difficult to engage with the whole Strathnairn community. According to a previous study (LES, nd), because SCBF is constituted as a company, the meetings are held privately, so local community members are not able to attend. The group is trying to find ways to engage more with residents, for example, through postal surveys, newsletters, flyers¹¹ and public meetings, but the community response has been low, suggesting a reluctance to participate in community meetings (LES, nd).

Some maintained that since Strathnairn has a structure in place detailing 14 different grants for which community members can apply, there is greater transparency and funds are more evenly distributed in different projects. One of the CB officers from the developer argued that this 'thematic approach' makes it clearer what people can apply for, thereby managing expectations and helping to increase transparency: *'They think...actually we know we can apply for this much to do such and such'*. The secretary of the SCBF claimed that it helps people decide what they can apply for: *'When you just have a big sum of money people don't know what to apply for, so what we're trying to do is to encourage people to apply by giving them some indicators as to the sort of grants that will be available'*.

In Strathdearn, the public is involved in decisions about the fund is through its community council meetings, which is open to all and everyone can express their opinions. Discussions about how the money is managed and spent are open, and people can see who applies and who gets the funds. The Strathdearn community council identifies itself as being *'completely open to the democratic process of allowing the people of Strathdearn to decide*

¹⁰ Strathnairn Community Website, Articles of Association of the Strathnairn Community Benefit Fund. Available from: <http://s3.spanglefish.com/s/22452/documents/scbf-documents/articles-of-association-current.pdf> [Accessed 4 February 2015].

¹¹ Strathnairn Community Website, 2014 SCBF Promotional Leaflet. Available from: <http://s3.spanglefish.com/s/22452/documents/scbf-documents/2014-strathnairn-community-fund-flyer-proof-4.pdf> [Accessed 3 February 2015].

how they want to spend the money' (Archived minutes from community council meeting, 18 March 2008). For projects costing more than £40,000, a community ballot is held to ensure transparency and that the majority of the community support how the money is spent.

However, the replacement of trustees is less frequent in SCCT (every three years). The SCCT chairman explained that this is mainly due to the lack of people: *'We are a very small community and there are eight councillors and there are eight trustees, we are about to get another wind farm company who wants to set up another company to look after their money and we have run out of people. Changing them over once a year is an absolute nightmare'*. This raises issues of community capacity to manage the funds, which often requires people having the available skills and the time to be involved in such voluntary schemes. Although vacancies are advertised in the newsletter of the Trust and locals can apply, it is the trustees who decide who to appoint and that may restrict the clarity and transparency of the process. Due to the small number of people, some trustees are also community council members and have double roles. According to some locals this *'irritates and prevents people attending council meetings'* as they feel it is the same people who make decisions. There is risk that with increasing numbers of wind farms these problems will be further exacerbated.

The SCCT argues that their discussions and decisions about the fund are *'open and everybody can see what we're doing, everybody can see where the money's going and everybody can see whose asking for it'* (chairman, SCCT). However, some local residents mentioned that the trustees are appointed and not elected. A local resident for example felt that the whole process *'[is] not transparent, it's not the way you should go about dealing with half a million pounds...there should have been elections and there weren't, and that has been a bone of contention with many of us for many years'*. In such circumstances, where the community council is also the decision-maker about the community fund, it is recommended that this additional role should be verified by the wider community, otherwise it might be

regarded as a self-appointed body for an important community economic resource (Foundation Scotland 2014).

Another way local residents are informed of the various processes is through the annual reports to the developer on how the money has been spent/invested. These are publicly available, and all grants are presented in the communities' newsletters. The developer also stated that there is a monitoring process to increase transparency and to demonstrate in a more aggregate way the actual impact all community funds have. The monitoring process is currently undertaken sporadically for each wind farm and CBF.

The role of the developers has further been discussed in terms of securing and promoting transparency. The developer is keen to promote openness in the whole process from negotiating the fund to its administration to providing ongoing support and advice. A community officer from LES stated that developers could be more engaged than they currently are: *They can be open to a bit of dialogue and a bit flexibility...and communities can feel a bit more empowered*'. At present, according to Consumer Focus Scotland (2012, p. 8) developers are content to receive short annual reports summarising how the funds are spent, but given the scale of the payments and their increased (socio-economic) impact, there is a case for encouraging developers to maintain their involvement with CBF through support, advice and increased openness.

Community relationships

There are mixed feelings about the impact the CBF have on community relationships in both Strathnairn and Strathdearn. In September 2013, a community plan went out to every single household on behalf of the Strathnairn community council covering a variety of questions including what local residents thought about the CBF. The survey showed that there were

clearly two groups, according to the secretary of the SCBF: *'One group said "absolutely fantastic, isn't it brilliant that we're getting all of this money" and then you get another load of people who just say "I don't think the benefit fund does anything for me".'*

Reflecting on this, a local resident mentioned that having CB and managing the money have created mistrust and division in the community and that *'creates disengagement from the community councils, community groups and other opportunities we may have in the village for building our social capital'*. It was argued that this is mainly due to the fact that the same people are in the council and the trust, and for long periods, and there are not many opportunities for other people to engage.

Representatives from the two trusts mentioned that having the CB money causes frictions as there are different opinions on how the money should be managed and spent.

Interviewer: *what is the impact of having the fund in the community?*

Chairman SCCF: *It started off not too badly but then there were one or two individuals who started calling it bribes...But my answer is: whatever happens the wind farms are going to come and you might as well accept what they are going to give you, and the money we can then use for the benefit of the Strath. If we didn't the only money we'd get is about £2,000 a year to run the community council and you cannot buy sports halls...and we had nothing and thank goodness for the money that we can do what the community wants.*

Some other local residents emphasised that, because it was early days for CB when it first started, people did not give any thought to it and did not realise the impact that it would have on the community. To quote one of them: *'Community relations have been damaged*

especially between people who opposed the Community Benefit [at least before the planning permission was given] and those who accepted the money with open hands’.

The results indicate that ,due to the CBF, community participation has been limited, locals have become reluctant to attend meetings, which does not strengthen community relationships and trust (Gubbins 2010). That is one of the reasons why some developers now prefer to have an independent and external administrator for the fund, so as to create less friction among locals. Some residents also expressed the same preference, so that it would not be their neighbour that making decisions about the money and therefore it *‘doesn’t get too personal’*.

Support a transition to a low carbon rural future?

One question which arose during the interviews was how far CB support a transition to a low carbon future. During the early years of managing CBF, efforts mainly focused on small-scale ‘community-focused’ projects supporting communal facilities such as village halls, play grounds, sports halls and social events. In comparison, more complex projects related to a transition to a low carbon future are less advanced. That is mainly because these may involve expertise and skills, a high degree of community capacity, and probably combined management and a variety of funding streams (Consumer Focus Scotland 2012).

While Strathnairn has grants specifically related to a low carbon agenda, Strathdearn has so far focused on projects unrelated to low carbon. However, according to the SCCF chairman, it is expected that with the negotiations with three new wind farms around the community, Strathdearn will start investing in larger projects like energy support and affordable housing.

Because the Farr wind farm was one of the first models of CB in Scotland, the two communities (within the same council area) set up different funds to manage the money they receive from the wind farm. Since then, a new approach has been suggested (Consumer Futures; Foundation Scotland; RWE Renewables), encouraging different communities to operate a single joint fund rather than dividing the monies to be managed separately. This enables communities to work together and invest in larger and more strategic projects, thereby facilitating a transition to a low carbon future (Foundation Scotland, nd). In line with this, the Scottish Government recently announced that they encourage models that will allow communities to invest more strategically to maximize local gains (LES 2014b, p. 3). LES and the Scottish government (2014b) have suggested that developers can also help by advising communities to think more strategically about how to spend the funds to contribute to a low carbon future and secure long-term sustainable generation. They have also encouraged developers to work together, to be aware of other nearby renewable projects, and to consider the potential alignment with local approaches and administration arrangements. However, this points towards a move away from bottom-up approaches aimed at empowering communities to manage funds according to their own priorities, towards more top-down, facilitated/managed processes placing greater control – or at least influence – in the hands of developers and/or facilitators of funds.

Conclusions and future recommendations

Strathnairn and Strathdearn were among the first communities in Scotland to set up CBF. As such, there was no information available on good governance; even today this is under public consultation and is based on good practice. Although both communities receive monies from the same wind farm and are close to each other, they have established different ways of

managing their funds and different ways of engaging and involving the local population in decision-making processes. This case study indicates some ways in which good governance could be achieved, learning from these two communities. These are:

Transparency: Respondents noted that openness and transparency are key elements for including the local population in the processes which determine where the funds are spent and how members, directors and trustees are elected. Although in both communities the members of the CBF mentioned that they strive to ensure transparency and accountability, the analysis of the data shows that local residents have concerns about how inclusive their decision-making processes are, as not all meetings are public and there is no sufficient clarity on how members are appointed. To promote openness, the role of the developer in the whole process is also recognised: from the early negotiations to the administration and management of the fund. Especially given the scale of the payments, their socio-economic impact and the attention to policy, it is suggested that developers should increase their involvement in terms of transparency and continuous support.

Wider engagement and diversity of actors involved: During the early negotiations with the developer, the role of the community council was crucial because it was the only body representing the local population. Discussions took place at the ‘micro’ level between the developer and members of the community council with no other representative body involved. However, even at that micro level negotiations were held between a few community members and the developer which had implications for diversity of actors and the wider engagement of various stakeholders as well as implications for wider discussions on ‘good practice principles’ for CB from renewable projects, where it is often stated that developers need to engage openly with the wider community and explore a CB package that is agreed on in a democratic manner. LES (2014a, p. 17) recognise that: *‘Communities are composed of a range of views and community benefit package proposals may be divisive.*

Developers should be sensitive to this and should welcome all views from the community and should seek a majority for decisions in an open and transparent manner.’ This research has illustrated that there are concerns about fair and proper representation of the local population with respect to the allocation of funds to ensure satisfactory representation and avoid participation fatigue amongst those who routinely take part in such processes. This represents a major challenge in small rural communities, particularly where there may be multiple wind farms. If goals of empowerment and building social capital are to be met, it will be important to address the challenges of broadening and supporting community participation and ensuring that diverse interests are incorporated in all aspects of the community fund and decision-making processes.

Wider impact of CB to the community cohesion: Whilst CBF are celebrated as a means of empowering communities and building social capital, it is important to note the potential to create division – rather than empowerment – within communities. This can emerge through conflict over the establishment, management, operation and allocation of funds. Having and managing a CBF can challenge wider community relationships and trust among local residents. This is mainly due to the fact that the (same) locals make decisions about the distribution of the fund, often for a long period of time. The interviews revealed the need to place greater control in the hands of a third party intermediary to help manage funds, but with the community retaining the power to make decisions regarding any spending or investment from that fund. A particular level of external administration would be desirable to avoid divisions among locals and to avoid making the fund a ‘personal’ matter.

Contribution to low carbon future: It seems that the role of the CBF in the low carbon movement is limited, because the funds are mainly allocate to soft-end projects with insufficient impact on the broader low carbon agenda. Although there are specific grants focusing on energy efficiency and renewable energy, it was suggested that a more strategic

approach is needed, involving developers, the third sector, and local and national governments, to help communities work together and across council borders on bigger projects facilitating the transition to a low carbon future. If CB are implemented strategically, they are a potential source of long-term sustainable investment and could provide a significant boost to local development. As Cowell et al. (2011) suggest, CB might better serve the long-term sustainability of wind farm development areas.. Although CB are still in their infancy and their socio-economic impacts and outcomes remain uncertain, we argue that their provision could present a great opportunity for sustainable rural development if funds are invested in larger strategic projects. This will also require alignment between the aims of these larger projects and the needs of the local community through wider community engagement in decision-making. This research has shown that strengthening community participation and democratic relationships around CB is both a daunting and problematic task but essential component for ensuring good low carbon governance.

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