

Scottish Crown Estate Bill

Threat or opportunity for offshore renewables?



The bill, following the devolution of the Crown Estate in Scotland to the Scottish Parliament, will introduce a framework for its future management.

I can't be alone in having taken only a slightly distant interest in the mechanics of devolution of the Scottish Crown Estate; until I was recently asked to give evidence to the Select Committee considering the Scottish Crown Estate Bill.

What followed was an enlightening few days reading up on the Smith Commission recommendations and how those have been translated into the current proposals. Due credit to the authors of the bill; they have had to consider some quite knotty issues along the way and the assets are nothing if not diverse.

Of course, my attention naturally turns to the seabed and renewables development.

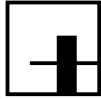
Tempting as it always is to be controversial, I found myself admitting that, broadly speaking, the description given by Crown Estate Scotland themselves for their engagement with the renewables sector – landlord, catalyst and supportive partner – is mirrored by the Scottish Renewables members and Shepherd and Wedderburn clients I had managed to speak with beforehand.

The process we have now for offshore licensing actually works, and perhaps the greatest concern expressed to me was that this might be interfered with – such that delivery of existing development projects becomes harder.

Mention was made of fragmented processes for securing development rights or for seeking approval for the inevitable changes that any form of contract relating to something as dynamic as offshore wind and other marine development has to accommodate. Or, worse still, we discourage the many developers watching the plans evolve for the next offshore wind licensing round by making it more complicated and less certain than the equivalent process being run by The Crown Estate for 'UK' waters.

Make no mistake, Scotland has something to prove on offshore wind development. Some painful lessons have been learned over the past decade in this arena and, irrespective of whether the skills and resources exist within local authorities or other potential beneficiaries of management functions of Crown Estate assets in the future, we need to know that those who have lived and breathed this before will be there to add their wisdom, experience and expertise to ensuring the process of kick-starting the next round of development of nationally significant energy infrastructure is as efficient and effective as it can be.

As is always the case with our multi-faceted sector, other renewable technologies – wave for instance – may take a different view, as might the Islands Councils who have engaged so effectively with that body of innovators and entrepreneurs. So it is good to note that pilot projects



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are proposed for the next year or two looking at how particular functions might be more effectively and closely managed at a local level.

Overall, the bill does not prescribe a one-size-fits-all solution. Arguably, it doesn't really prescribe very much at all but, as someone said to me recently, The Crown Estate has been managed as it currently is for a long time, so maybe we can afford to take a little more time to consider the possibilities. The aspiration here, I believe, is that Scottish assets should be locally and actively managed by and for the Scottish people and that is

laudable indeed, but let's find out how the assets really perform first before we start transferring or delegating responsibilities (and potentially liabilities). Another year or two of audited accounts for the Scottish assets to base these decisions on would not go amiss for starters.

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