

Who owns Scotland's seabed?



Scotland will never be the Saudi Arabia of marine energy while seabed rent goes south. So says [Andy Wightman](#), the author of *Who Owns Scotland?*

Andy has a letter in today's Herald about the 10 wave and tidal energy projects announced this week. Scotland is said to have about a quarter of Europe's wind and marine energy potential. But, as well as any taxable profits going straight to the London treasury, another cut goes to the Crown Estates who do not actually "own" the seabed. They only administer the property rights. The seabed is Crown land, but that doesn't mean it belongs to The Queen. In fact it is a type of public land under Scots law. Andy points out that it is "within the competence" of the Scottish parliament to transfer title from The Crown to Scottish ministers. He wonders why an SNP government has not already done this. He concludes: "if, as Alex Salmond has claimed, Scotland's seas make us the Saudi Arabi of marine power, why is Scottish crown land being administered by a property company in London to whom all the rents will flow?" Why indeed. What does Mr Salmond's environment minister Roseanna aka "Republican Rose" Cunningham think?

But if the SNP government decided to move on this, would they get support from the opposition? They ought to. I seem to remember some Labour and Liberal Democrat activists joining a campaign against the Crown Estates 20 years ago when the organisation attempted to hike up the mooring rental for Scottish boat owners. Brian Wilson the former minister and MP, and these days a great advocate of renewable energy, supported that campaign in his capacity as publisher of *The West Highland Free Press*. In fact, I seem to remember the mooring holders ran a civil disobedience campaign of non-payment similar to the anti-poll tax movement of the time.


Andy Wightman's letter to *The Herald* along with others on the subject can be read [here](#)

His personal website can be located [here](#)

Posted at 02:26 PM in [Politics](#), [Scotland](#) | [Permalink](#)

Tags: alex salmond., brian wilson, campaign, crown estates, crown land, moorinnings, orkney, pentland, poll tax, power, property rights, public land, renewables, seabed, seabed; marine energy, shetland, SNP, theft, tidal, wave, who owns scotland, wightman

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I sincerely hope that all the money from the future 'renewable industry' is not going to ebb away to the British Treasury. Something must be done now, by the Scottish Government to acquire the income from this important resource.

Posted by: [Dark Lochnagar](#) | [March 22, 2010 at 02:23 AM](#)

TartanSeer,

Good question and the source of much confusion. The Crown Estate Commission is reserved as are most Crown revenues. But the property of the Crown is not - see Schedule 5 (3) (1) of Scotland Act. That means the seabed is property under the jurisdiction of the Scottish Parliament. It actually already belongs to us. Problem I have is that it is administered by the CEC in London. I advocate transferring title from Crown to Scottish Ministers and then on to local authorities as that is only way to competently remove CEC from equation under the existing devolution settlement. However, even in the absence of doing that, Scottish Ministers could, as a consequence of the devolved property rights be doing much more to lever influence but they've chosen not to.

Posted by: [Andy Wightman](#) | [March 20, 2010 at 10:03 AM](#)

Energy is reserved, but planning is not and neither is the way we tackle climate change. Land ownership/control is devolved, which is why the Scottish parliament was responsible for changing the law on access, feudal tenure and community buy outs for example. I guess the seabed is also land. Andy Wightman says it's within the jurisdiction of the Scottish parliament to administer this public property and I bow to his knowledge of these matters.

Posted by: [joanmc Alpine](#) | [March 18, 2010 at 10:57 PM](#)

I am more than happy to be corrected, but are these issues not 'reserved matters'?

Posted by: [TartanSeer](#) | [March 18, 2010 at 08:06 PM](#)

But Despairing ... Surely therein lies the problem with Scotland's politics. The kind of money we're possibly talking about is of obvious benefit to Scotland but the attitude you describe certainly isn't ... Narrow party interests put ahead of our interests ... It's why attitudes have to change or those who don't put their voters first need to get out of the business.

Posted by: weenyaff | [March 18, 2010 at 07:49 PM](#)

I think you've answered your own question here. Salmond's minority government is so polarising to the opposition that he'd never get it passed. Perhaps his successor might.

Posted by: [Despairing](#) | [March 18, 2010 at 03:28 PM](#)