

COMMON WEAL



S O U T H L A N A R K S H I R E



Community
Campaigning

www.allofusfirst.org

Power to the people, for the people

“The strength of the many is greater than the power of the few”

Community Campaigning

The old saying “*you can’t win them all*” often rings true. True indeed, but is it really about ‘winning’?...for many it is. However if we are true to our cause, then our actions should be founded on what is right for the betterment of all. As Gandhi said “*Even if you are a minority of one, the truth is the truth.*”

Be prepared for the long haul, battles may be won in a day but wars may take years. Always think about who the true ‘enemy’ is. Is it really the developer, or is it the council and its policies, or national government legislation that allowed these proposals to threaten your community? Always play devils advocate to understand the campaign you need to prepare for and always understand you have the power to change the very laws and political decision makers that support such proposals against the will of the people affected.

Campaigns don’t necessarily need leaders, they need activists willing to share their time, knowledge and skills. A good campaign committee is one which listens, debates, formulates and actions the agreed will of the people. Experience would suggest any threat should first be addressed by means of a public meeting. If possible this should be organised and chaired by your local community council, a local worthy of integrity and impartial respect, or a competent spokesman of the affected area who speaks with passion. This person, or group, need not lead the campaign but should be the vehicle to facilitate the opportunity to discuss the threat and enable people to voice their concerns. By doing so you will generate publicity, a sense of togetherness and instil a sense of community spirit as the campaign develops. Such meetings will also enable you to identify individuals willing to offer their expertise, skills and enthusiasm in representing the greater good of the wider community. Always ensure notes are taken of the meeting, record positive contributions and seek to get the contact addresses of all those in attendance for future communications. Not everyone will want to directly become involved in the campaign but you will need them when the time comes for community action.



‘Balancing the needs of the many
against the greed of the few’

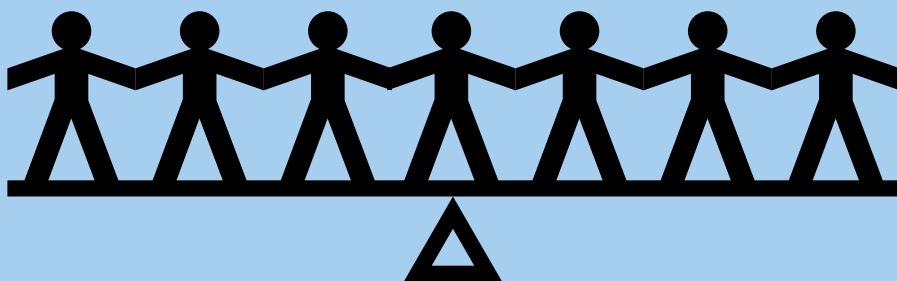
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Large meetings can be volatile, noisy, unconstructive and often demotivational in seeking the views of people. What is essential is that people focus on the 'issue and actions' required in challenging the threat that faces your community. What is important to remember is to focus on what binds you rather than what divides you. Always try to give everyone their say however irrelevant their contribution might seem. Most, not all, campaigns are won by people power and everyone should have their opportunity to contribute and express their views.

Always ensure meetings have a strict agenda in respect of what you need to get out of the meeting going forward. Seek to identify positive individuals who bring experience, knowledge and enthusiasm to the campaign. Try to keep this group to a manageable number, with a wider network of volunteer activists who can be called upon to initiate actions and events when required. Essential in every campaign is good communications, through regular scheduled meetings, gmail accounts, facebook groups, the press and publicity to ensure the wider population of supporters are updated with actions and progress when appropriate.

'Core Group' meetings might not require a formal committee structure but may require a 'template constitution' if a bank account (crowdfunding) is needed for fundraising and campaigning activities. If confidential or strategic planning is important to your campaign then the Core Group should meet in private, with actions, responsibilities and timescales agreed, before sharing with the wider network of supporters. Try to agree actions by consensus, rather than leadership but it would be wise to agree roles from an early stage in encouraging good communications. The Core Group may not require a convenor (chair) as such (unless for formal processes including a treasurers account) but should consider the skills and talents of members in delegating roles, eg. spokesperson for communicating with press and public, an agreed correspondence address for communications, a social media administrator and those willing to organise and monitor fund-raising activities.

Avoid, Avoid, Avoid.....politicians of any political party being part of your Core Group. Many may well be good politicians and most worth their salt will support your cause.... however....many will seek to use your 'cause' to score political points, or provide you with misleading, if not false information, in an effort to manipulate the outcome. Keep politicians informed, seek their support and utilise their contacts and knowledge to achieve your aims but be guarded in what you say and the information you provide. Keeping the Core Group to trusted activists will ensure you can speak freely and confidentially about matters that can often be controversial or even have serious considerations when cases of fraud or legal action is required.



Common Sense
Common Purpose
Common People

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Concentrate on a positive campaign, a campaign that unites, informs and encourages participation on focusing on the threat to your community. A negative campaign can lead to apathy, be demotivating and discourage your Core Group and those you need to support the wider activities of the campaign. Remember generals don't win wars, soldiers do. Try and reach consensus on your strategy, timetable actions and involve the community whenever possible; without them your cause may be lost.

Fundraising Support

Establish a bank account as soon as possible. Set up a website and/or a function to enable supporters to make direct donations to your campaign via your bank account. Register large donations (over £100) to the campaign with a certificate in recognition of their support. Some individuals or organisation may wish to make significant donations. If this is the case, some may not wish to be named or recognised. Always ensure confidentiality.

As well as discussing, agreeing and implementing community fundraising events, you may wish to apply to the council for a start up grant. Your local councillor, if they support your campaign, will be able to advise you of this process. This will usually result in a cheque to your bank account of around £250 if you are successful. In addition you may wish to apply for grants externally such as the Cooperative and other bodies that may support your objectives in protecting your community and environment. Further information and support can be found at: Voluntary Action South Lanarkshire ([VASLAN](#); office@vaslan.org.uk Tel: 01698 300390, 155 Montrose Crescent, Hamilton ML3 6LQ) or your local authority office for support to voluntary organisations.

Visual Identity

Agree a recognisable name for your campaign group. Agree a simple, clear and effective logo that will easily identify your campaign in publicity materials. Ensure the visual identity of your campaign materials have mono and colour versions of the logo. Avoid using colour versions for template materials or where photocopying is required.

Use a bold clear typeface, that can be easily read from a distance when promoting events and community meetings. By choosing a strong branded identity this can create a clear visual presence for the group that people will identify with and enable the public to recognise your presence at a glance. This will also be visually prominent at protests enabling photographs on social media and press coverage to be easily recognisable.



‘When everyone cares,
everyone benefits’

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You may also want to consider decals (printed signage) on transport, or lorry containers, appropriately placed in key locations around the affected site. Other considerations dependant on funding may be adverts on hoardings, bus shelters, mobile advertising trailers and press adverts, not forgetting free publicity through social media posts. Additionally, you can seek to brand your campaign on stickers, badges, balloons, t-shirts and banners which can again help to boost the visual presence of your campaign locally. This can also be positive in generating a more professional image of your campaign publicly.

Public Petitions

When submitting petitions (list of names and addresses) to planning applications, these can be viewed by the Council as 'one objection' on behalf of the campaign group with no requirement to respond to the individuals concerned. The principle reason for submitting a petition is to widen public knowledge of the impact of the proposal on communities and to gauge the measure of public support against the threat posed by the application in influencing the political decision makers.

A more effective means of submitting a petition is to encourage the wider network of supporters to submit 'individual letters' of objection to the planning committee. This should be in the form of a single page 'template objection' letter. This should have a box at the top right for objectors to write their name and address and a box placed bottom left for supporters to sign. The content of the objection should be a summarised objection of the principle areas of objection. A more detailed objection can be submitted by the Core Group highlighting the specific concerns and providing supporting evidence to the objection. The effectiveness of individual letters of objection are many:

- The council as a consequence are required to respond formally to 'EVERY' letter, acknowledging the objection and are also required to respond to every objector of the outcome of the hearing by the appropriate committee concerned.
- This action costs the council considerable time and resource. A campaign against the erection of an incinerator in Stonehouse, South Lanarkshire, attracted '24,000' individual letters of objection.
- Making such submissions enables the campaign to attract local/national press and social media coverage as well as photograph opportunities to present boxes of objection letters to the Council on behalf of the people.



‘Wealth shared in common,
for the benefit of all’

COMMON WEAL

Key to resourcing this action is getting the wider network of supporters actively involved in distributing, collecting and collating the objections. Once you have agreed the content and secured the resources to print the template objection letters you can distribute copies to supporters at public meetings. Try to encourage supporters to copy their letters where possible and organise mass distributions to homes throughout the surrounding towns and villages. The best means to get these back is to get people to fill in the forms then and there (contact the press before hand to intimate you are going to do this). For those who are not in when you call, leave a copy of the letter and state on a slip of paper that you will return within the next 48 hours to collect the objection letter (also intimate on slip that the letters can be sent directly to the planning department providing the appropriate address). This will require a large team of supporters but the results can be significant as well as uniting the people and encouraging active participation in the campaign in protecting their own community.

Avoid getting into lengthy discussions with the public about the issue if possible. Be brief and move on to the next door. Never get into an argument as the individual is highly unlikely to participate and is detracting you from visiting the many more who want to support your campaign.

Anyone can fill in an objection letter. They neither need to be resident in the area or indeed the country. Children can also submit an objection provided they are able to understand the threat to their community. Ensure that copies of the template letters can be available by download from your website, Facebook site or email account in either pdf or jpeg format to enable people to print and send in their own objections.

Petitions Committee

As a means of highlighting your campaign nationally, and addressing the impact of the threat to your community, you may wish to submit a formal petition to the Scottish Parliament. This can be presented to influence a change in national policy or legislation, if you feel this highlights issues raised as a consequence of your campaign. eg. national planning policy, energy policy or democratic failures of governance etc. This is a formal process to which you can receive support and guidance from the scottish governments petitions committee (petitions@scottish.parliament.uk) in submitting your petition to parliament. If a competent submission is accepted, your spokesperson may be required to appear before the petitions committee to speak on behalf of the campaign group.



‘Planting seeds for the people
of Scotland to flourish’

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Community Empowerment Bill

New legislation now gives communities more powers to access land and buildings in their communities and influence how services are delivered locally. This means local authorities and public bodies have the statutory duty to weigh up the benefits of transferring their land and buildings to communities. This can enable communities to take over the ownership and running of local assets for public benefit; run by the people for the people, giving them greater control, responsibility and opportunity to shape their towns and villages needs into the future.

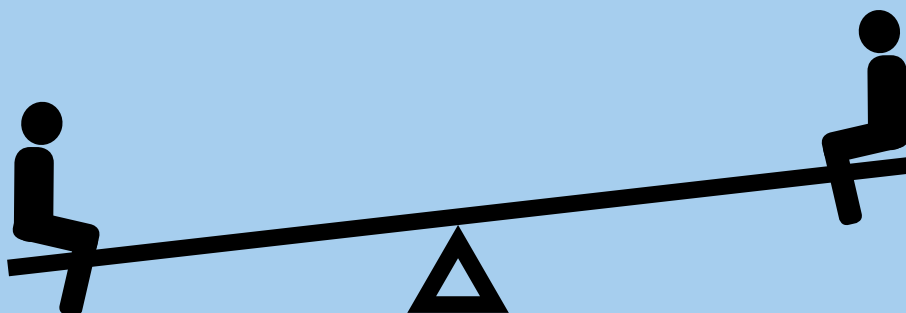
This legislation can also enable communities to purchase or be granted land which poses a threat in regards to potential developments, either contrary to the benefit of the community or threatening the health or environment in which residents reside. This may also enable your campaign to delay a development project if your group register an interest in the land concerned prior to an application being submitted for development.

Civil servants can offer advice and guidance on this matter if requested. For further information contact: sp.info@scottish.parliament.uk

Political Pressure

This is a 'key action' to having a successful campaign. Seek to take a non-political stance in bringing local and national governments to account for their actions. Acknowledge support given by politicians of whatever political shade but avoid publicly endorsing them politically as a Party. Seek the support of all political representatives and parties in supporting your campaign. If possible, seek written endorsements of your campaign. You may be able to use such documents at a later date. Also seek to get the formal position of political parties on the issue and publicise their support through the press and social media.

Organise, when appropriate, public meetings inviting your political representatives to the event and highlight their attendance, or not, as the case may be. Seek to pursue support, or protest, at politicians local surgeries. Publicly seek to highlight those who oppose your campaign and those who voted against your position when the application comes to the planning hearing against the wishes of the community. Use your campaign as an opportunity to put politicians under pressure at any forthcoming elections. Try to attend local hustings and ask politicians to account for their decisions or get their support if the application has yet to be decided.



‘More than 1 in 4 children in
Scotland are growing up in
poverty while the top 1% have
never been richer...
It’s time to get the balance right’

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Whilst fighting a local campaign in South Lanarkshire, the campaign team decided to protest at every polling station across South Lanarkshire where councillors voted against the wishes of 24,000 objectors to a planning application. As a Core Group organise teams to visit all polling stations where councillors, MSPs or MPs voted against your position or failed to support your campaign publicly. Make placards and posters to visually generate a presence at the various locations and post on social media your attendance at such events to highlight those who failed to serve the will of the people.

'The power of the people is stronger than the people in power'

This action works. During the 2011 Scottish parliamentary elections, a campaign against the construction of an incinerator in South Lanarkshire sought to highlight several political parties failure to oppose the application. The two sitting MSPs lost their seats and acknowledged local issues had played a part in their downfall whilst the new MSPs acknowledged likewise in being elected. At the following local elections the following year campaigners once again, in teams, attended every polling station in South Lanarkshire where a councillor voted against the will of the people. Two of those councillors lost their seats including the chair of the planning committee and all other councillors got a significantly reduced majority as a consequence. That day politicians woke up to the fact that the people were holding them accountable for their actions despite their personal political views. Politicians are elected by the people for the people. When they fail to do so we must hold them to account for their actions.

Press Coverage

Formal press and media coverage is a key tool in highlighting your campaign. Promote all public meetings through the local press and social media and invite reporters to cover the events. If a reporter is unable to attend, write an article yourself and encourage supporters to write to the letters pages of the local and national press. In addition approach investigative journalists with the national or Sunday press to do a more in-depth investigative piece on your campaign to highlight the threats to the environment and the people affected by the development.



“We’re all in it together”
Pay equality ?

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Social Media

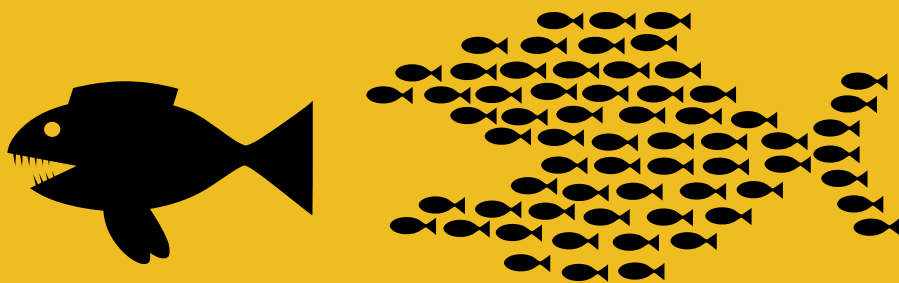
Use the skills and talents of your Core Group and the wider support of expertise to set up a social media campaign (Facebook, Website and Twitter Accounts). When setting up a website, try to keep it fresh, uncluttered and simple. Provide information supporters need e.g. a brief overview of the threat posed to the community, the key objection points, how people can financially support the campaign, how people can take action themselves to support the aims of the campaign and enable key links to other materials and campaigns of a similar nature. You may also want to provide an email contact for correspondence (set up a gmail account to ensure all members of the Core Group can view ongoing issues). Avoid providing a telephone number unless someone is willing to facilitate this service. This can be onerous.

If you are able to identify someone with the expertise to set up a website, enable a 'gallery' to post pictures of your campaign events and make available a download page to allow supporters to download petition letters and information materials.

Opening a Facebook page in the name of the campaign can appeal to a more global audience. This has many advantages, not least the ability to learn from others in sharing information and resources. This will enable supporters to feel actively involved and voice their views, whilst enlightening supporters of future events and actions. Ensure you have administrators who can approve 'friends' requests, as well as monitoring the subject matter to protect users from abuse and inappropriate posts. If well managed this can reach a wider audience and enable your campaign to react pro-active lyas well as re-actively at short notice in responding to events as they happen.

Similarly 'Twitter' can be a useful tool in updating supporters but 'think before you post'....too many posts can discourage followers and detract from the key actions you need to encourage.

In a developing world of interactive communications, advances in technology offer greater control and opportunities to learn, share, debate and organise but never forget it is people that make things happen and that means physical support on the ground. Nothing is better than verbal, one to one communications in rallying the anger and passion of supporters.



‘The strength of the many is
greater than the power of the few’

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Formal Objection

When making a formal objection consider the facts, precedence and potential national impact of the threat posed to the community. Investigate the councils own policies in respect of the proposal (local plan, environmental plans, planning guidance etc) in making a competent objection. Ensure your objection is copied to all councillors of the planning committee and the council leader of the incumbent and opposition parties as well as the media.

Carefully consider what you include within your objection. Many issues of concern locally may not in fact be relevant in planning terms, such as the right to a scenic view or the health consequences of an application. Despite this fact, it is still worth including the health consequences within objections as ultimately, your councillor has the ability and moral right to vote whichever way he or she wishes, despite the official guidance and party line given. It is also worth remembering this has been tested in court (Dovesdale Action Group v South Lanarkshire Council).

Your objection can be as lengthy and detailed as you wish but the council has no obligation to reply to your objection in respect of the formal process other than to acknowledge receipt of your objection and inform you of the outcome the application once a decision has been made.

As well as objecting, request additional 'conditions' are placed on the developer in the event approval is granted. These conditions can hinder development, provide additional time to campaign against the threat and provide limited assurances in protecting the environment. Ensure you submit your objection and any template objection letters within the agreed deadlines. The Core Group should also ask to be added to the councils email notification list of planning applications in their area. This will enable you to monitor and receive advanced notice of other all applications in your area, some of which may be linked indirectly to the application to which you are objecting. Keep an eye on planning applications being submitted during holiday periods as this is a popular time to submit controversial applications when people have their minds on other events. These submissions also make responding difficult for objectors in regards to timescales.

As a principle objector to the application you have the right to present your case to the planning committee hearing. However, under present procedures only 'three' objectors can get a total of 'five minutes' to present a case that could in reality take all day to present. Alas, despite the scale and impact of the proposal, the injustice of the process and the restrictions, you should consider the following when your spokesperson presents your case to committee:



‘Let us thrive on being a creating
society for all of us and not a
consuming society that feeds the
greed of the few’

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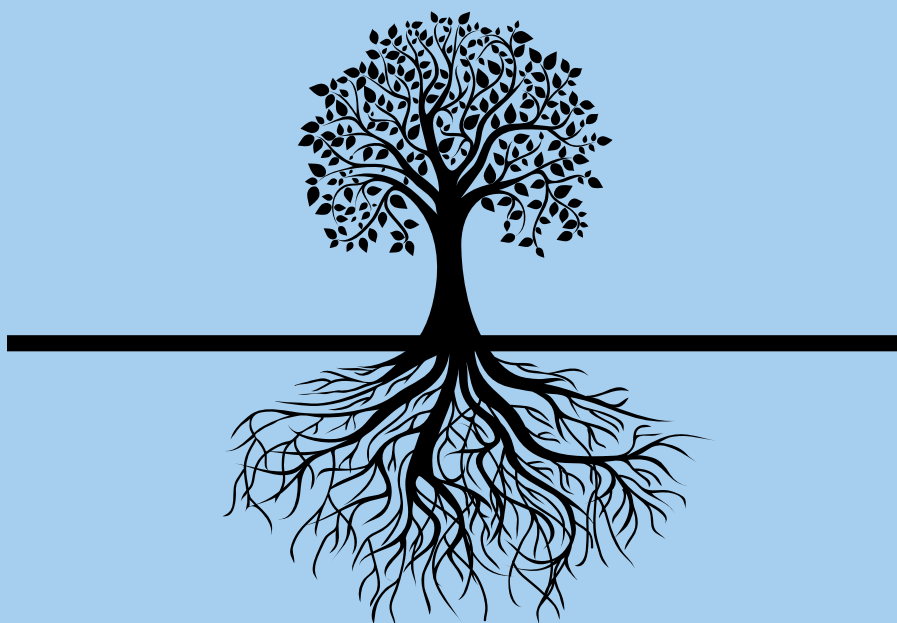
- Prepare a bulleted summary of the key objection areas, speaking clearly and passionately directly to councillors. Remember you will also get a chance to ask questions of the applicants representative so prepare these question in advance.
- You can ask the chair of the planning committee (or relevant committee), with the agreement of other objectors registered to speak for all objectors. This will allow you to speak for a whole 'fifteen minutes'. Use this time wisely.

Note: Councillors on the Planning Committee cannot voice their views or position on any planning application prior to the application coming to committee. The Planning Chair may prevent a councillor voting on any development where they have failed to follow the agreed process. There is nothing however to stop councillors attending and listening to the views of others at public meetings in understanding the strength of feeling of his/her constituents, or gaining a greater knowledge of the facts in assisting their considerations when the application finally comes to committee. In addition, you should find out who all the councillors are on the relevant committee and send them a copy of for objection at least one week before the planning hearing asking them to read the submission prior to the hearing to ensure they have all the evidence they need before coming to a decision.

If the committee come to a decision to vote against the wishes of the people....take a deep breath, regroup and begin the next stage of your campaign. All is not lost.

Third Party Right of Appeal?

If the developer is defeated by your campaign and/or councillors reject the application, the developer still has the right to appeal to the scottish parliament (the Reporter) for approval. However, if they win their original application and councillors reject your case, you will have 'no' right of appeal to the scottish government (Third Party Right of Appeal). As a campaign group, as individuals, and as a democratic process, this is unjust and is balanced unfairly in favour of the developer, against the people in ensuring fairness and equality to the planning process. It gets better... in addition you have no right to object to the scottish government against the developers submission. The council however do have the right to object and they should be pursued to ensure they submit a competent objection of behalf of the people.



‘When the seed of hope is sown,
ideas take root and flourish’

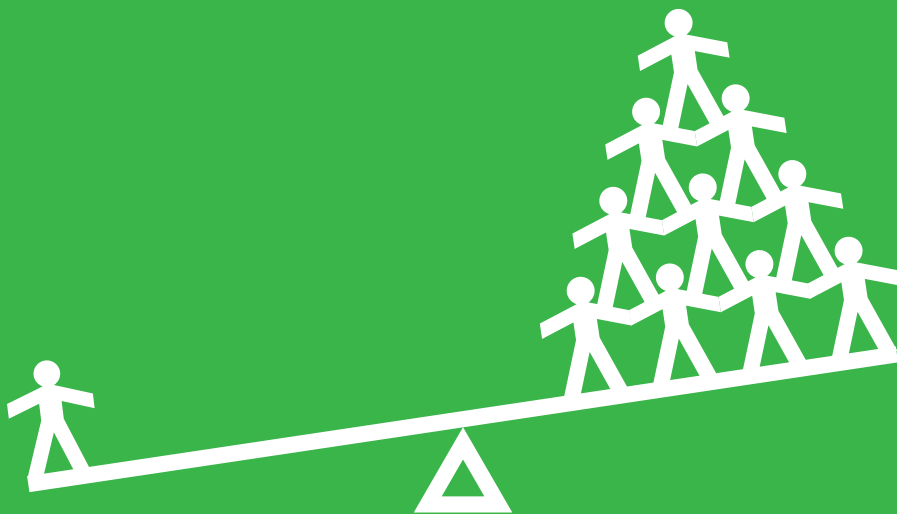
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Request a copy of their objection as council's can often be playing a political game by, 'on the face of it', supporting the people by objecting, whilst in the full knowledge that the scottish government will approve the appeal thus taking the blame. It can be the case that their initial objection to the application is later withdrawn from the appeal thus ensuring the developer is successful against the will of the people; or the councils appeal is so weak in content that the developer was always going to be successful, thus giving the appearance of supporting the people but in reality were supportive of the applicant from the start avoiding a political backlash from the people.

Interim Interdict

If you believe, the developer, local authority or scottish government have breached their own policies, guidelines or legislation in coming to a decision you may want to consider taking legal action to bring them to account for their actions. By doing so your campaign can halt any progress of the development in this respect by submitting an 'interim interdict'. This is a judicial review of the decision to approve the application. The court will base its decision on the application. You don't have to appear in court personally but if the appellant decides to defend the action you may have to appear in court at a later day. This can prevent an applications consent proceeding until such matters are addressed through the legal process. This action ensures councils and governments have to answer for their decisions formally, where they might not have done otherwise, exposing there position and providing campaigners with information they might not otherwise have obtained in putting pressure on the politicians who make such decisions...apparently on behalf of the people.

Beware. Such action will cost well in excess of five figures to pursue in legal costs and you may be liable for their costs too. You will have to appoint a QC to represent your case in what will be a legal minefield. Further information on this process may be found via the Law Society (www.lawsociety.org.uk) or Citizens Advice Bureau (www.cas.org.uk).



Bridge the pay gap of inequality

The average pay for Scottish workers rose by 8% between 2009 and 2015. Offset by an inflation rise of 20% over the same period, this meant a real terms pay cut of 12% (OBR). Meanwhile the pay gap between the rich and poor has widened.

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Direct Action

The purpose of direct action is to get publicity to influence the decision making process. If you can get local and national coverage of your direct action this may bring political pressure to bear.

Think differently. Think big. Remember you will probably only get one chance to attract publicity for the same kind of direct action. The media will generally only cover a specific event once. Before initiating your action think about who/what you want to be involved in your action; what is the purpose of the action; and what might be the consequences of your action? Is your action legal? Sometimes if your cause is just and the impact threatens the health of residents and the environment such action may be justified. If the law was perfect then we wouldn't need to keep reviewing it and changing it. Nothing is gained without sacrifice.

Contact the media before initiating your action to get the maximum publicity of the event and ensure you have a spokesman or press statement ready to accompany your action. Anything that 'disrupts normal life' may attract attention e.g. blocking a public highway (whilst ensuring protestors safety at all times), protesting at public events or public places and visual impact events (balloon releases etc).

Direct action widens the national context and awareness of your plight. It can attract support from communities fighting similar campaigns or raise awareness to others communities that if they don't fight developments elsewhere then they may have to fight them here some day. Councils do not want to be seen as unsupportive, nor do the political leadership of the council want to see adverse negative publicity that might affect 'voters' views on their position.

Divided we stand, Divided we.... remain. We have a choice...lie down to apathy or stand up and be counted...it's time to lead and not be led.

Landowners Support

Technically anyone can submit a planning application to erect a structure or a development, and the application could be approved, even if the applicant doesn't own the land or property in question. The planning committee will not look at the submission in terms of land ownership but on the grounds of planning policy, transport and legislation etc.



‘A world that builds borders will
always live in fear. A world without
borders is a world at peace.’

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If you are able to gain the support of, or convince the legal landowner not to allow construction of the development on the affected land, you may be able to stop the application at an early stage. The developer or council may seek compulsory purchase of the land but this can take several years to progress and can be challenged. It is worth contacting neighbouring property owners to the proposed development site to seek their support against the development. This has proved successful in other campaigns and restricts the developers ability to expand their operations at a later date and could restrict access to facilitating the construction on the land its proposes to build upon. In addition, your Core Group could seek a formal agreement in the event a neighbouring landowners land come up for sale, enabling you to agree a binding agreement that ensures your campaign group have first opportunity to raise the necessary funds to purchase (control) the land in question within an agreed time frame. Further information on this is available under the Communities Right to Buy Scheme from the scottish government.

Freedom of Information

Public bodies are legally required to consider requests for public information (Freedom of Information requests; FOI). This enables you to access information, documents, correspondence, email and other digital material that you believe may assist you in your campaign. If the information pertains to the individual (you) then you can request this information under the Data Protection Act.

Public bodies are bound within the legislation to respond within specific timescales to any request, any appeals and thence to the Information Commissioners Office (ico.org.uk) if you are not satisfied with their response.

Think carefully before making your request as to the information you require. You can ask as many questions as you like. Be ruthless. Council's will as a matter of course, in many instances, not respond until the last day of the deadline before responding to you. If they fail to meet the statutory deadline you are entitled to automatically request a Stage 2 appeal before submitting your appeal to the Information Commissioner, who will then investigate this matter on your behalf (keep copies of all your correspondence). Keep a note of the timescales (20 working days for Stage 1) and pursue to a conclusion.



Arms Investments

‘Any nation that makes
and sells weapons of war
will never know peace.’

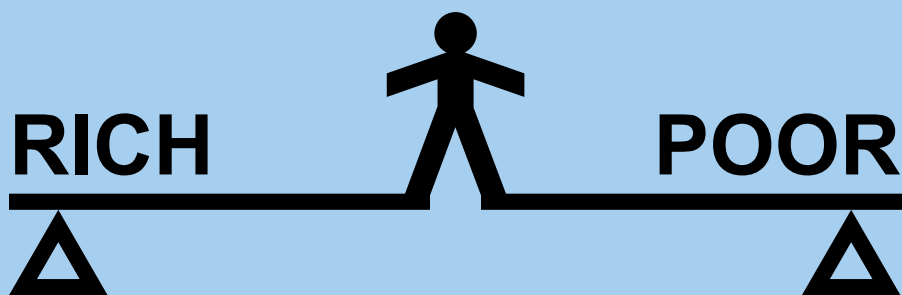
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You can also organise mass FOI submissions from supporters, asking different questions or seeking former planning applications etc, effectively swamping the system in a fountain of paperwork to which the council, or public body, are legally required to respond. The information gleaned from such action can prove effective and provide additional evidence to support your case, or expose hypocrisy or contrary evidence to public statements made by that body. Such information can also be publicly and politically embarrassing to the organisation concerned. www.gov.scot/About/Information/FOI

Scottish Environmental Protection Agency

If a planning application is approved that requires a PPC license (Pollution, Prevention and Control Permit) then you have yet another opportunity to stop the development threatening your community. A PPC license is required to ensure the protection of the environment, the public and employees working on the proposed site. This requires the developer to submit detailed information regarding the facilities, emissions, and operations of all constructions on site. This must be complied with prior to the development becoming operational.

The public; you, have the right to object to the license being granted. In this regard, professional support can be valuable in submitting a detailed and competent submission to SEPA (scotgen@sepa.org.uk). This can effectively stop, or delay, the application considerably. In the case of an incinerator application in Stonehouse, South Lanarkshire, a highly detailed and extensive submission was made to SEPA on behalf of the campaign group including many individual letters of objection from supporters sympathetic to the action. This resulted in an additional 44 questions being put to the developer, further delaying the process. In addition, submissions were sent to SEPA regards other operations the same developer had at a site they had in operation in Dumfries. This put additional pressure and scrutiny on SEPA to revoke the companies PPC license for hundreds of breaches of condition, which they did after a continuous campaign of lobbying and pressure via the media, other national bodies and political representatives. Prior to the objection of a PPC license the most objections nationally to SEPA for a license was only around eight objections. As a campaign group, and due to time constraints, the campaign group submitted around 60 objections but this was enough to encourage SEPA to become actively involved in improving communications to ensure compliance with legislation and considering carefully the views of objectors. Had the applicant of the incinerator not gone out of business, the campaign group had informed SEPA that they were prepared to submit 40,000 objections to the PPC licence application. SEPA knew they were serious, as previous knowledge of the campaign to challenge the planning application evidenced, so as a consequence they were able to work closer in addressing most of the issues of local concern.



‘Bridging the gap between
the rich and the poor’

COMMON WEAL

It is worth considering submitting mass objections to SEPA in this phase of your campaign as SEPA are duty bound to reply to this process and have even less resources than local authority to facilitate this requirement. Your Group should also copy you submissions to the press, media and politicians supporting your campaign to ensure they too bring pressure to bear on SEPA. You may also want to copy your PPC objection letter to SEPA's directorate or Chief Executive to ensure those below are aware they too are being monitored. A copy of a template PPC license objection is available on request.

Section 75 Agreements (‘Planning Obligations’)

Local Authorities as part of the planning process must establish a ‘Section 75 Agreement’ with developers to ensure the formal planning conditions are met as a condition of planning approval. This oversees the development of the planning approval to ensure compliance and must include local organisations within the group formed to monitor the conditions etc.

Your local community council should ensure it has a voice on this group. If none exists ask that your Core Group has representation on this committee and pursue your local politicians to make sure you are included. This group will oversee the construction, conditions and agreements made in respect of the approved application. You can ask that additional conditions be applied to the agreement to ensure the developer protects the environment and considers any ‘community gains’ that are administered. Try to place as many onerous conditions as possible on the developer to discourage development of the site concerned and bring them to task if they fail to meet any of the conditions agreed.

You should seek to ensure a ‘bond’ is secured for the restoration of the site in the event the developer goes into administration. If this is not done it can leave the Local Authority and the tax payer to pick up the bill for the restoration costs to return the land to its former condition. The recent failure of South Lanarkshire Council to ensure such measures at the Scottish Coal sites in Dalquhandy and Glentaggart are evidence of this and the costs to reinstate the land will be in the millions of pounds.



‘The minimum wage may alleviate poverty but a ‘maximum’ wage will tackle the injustice of inequality and personal greed’

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Additional conditions should include the inclusion of an archeological evaluation (survey) of the site prior to construction by an independent organisation (eg. [West of Scotland Archaeology Service](#); www.wosas.net / enquiries@wosas.glasgow.gov.uk) to establish whether or not the site may reveal any historical importance to the community or national antiquity including pre-historic remains. If such is found, the developer is responsible for the costs of funding a full excavation of the site to record the site prior to construction. This can be a time-consuming and financially restrictive condition. Research old maps and communicate with local knowledge of the site to raise concerns and issues with the investigating body prior to their site evaluation taking place. Further information and advice can be sought from Historic Environment Scotland (www.historicenvironment.scot/advice-and-support).

Site of Natural Beauty

Establish through local knowledge, or your council's Local Plan (Biodiversity Plan) whether or not the site under threat is within a Conservation Area, Special Site of Scientific Interest (SSSI) or Special Area of Conservation (SAC). These sites are protected by legislation and if a site even bounds your affected area, Scottish Natural Heritage must be consulted to evaluate any potential threat to the area in regards to flora and fauna.

The fact that an application has been made within, or bordering a site, may not in itself prevent construction but it makes approval significantly harder. This may include the relocation of bats or badgers in necessary. Ensure that you contact Scottish Natural Heritage (SNH; www.snh.gov.uk/contact-us/key-contacts) to ask them to investigate any concerns you have and ask them to submit an objection on behalf of the affected communities. If a rare breed or plant is found on the site it can prevent development on the site. Use local knowledge and even undertake field studies of the site to establish what is resident on the site. Use what you find to support your objection and use this information to promote the value of the site to the local community in preserving the environment for all to enjoy. Further information and advice can be sought from the Scottish Wildlife Trust (SWT; www.scottishwildlifetrust.org.uk).



‘Those who know not greed,
shall want for nothing.
Those that worship greed,
shall forever want for more.’

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Sample Monitoring

Seek sampling evidence to enable legal action in event of land contamination at later date (soil, dairy produce, water etc). This must be done prior to development. You can ask SEPA/Local Authority etc to ensure such is done as a condition of grant/license. If you prove through such action that the development as a consequence of contamination affects local produce or impacts on the local populations health, this pressure can be brought to bear on the developer via SEPA and legal process in halting operations at the site.

Previous examples include the contamination of milk in Iceland as a consequence of an incinerator being approved. Once the people realised their dairy products were adversely affected they stopped buying milk. The government immediately stopped operations at the plant concerned. In regards to the incinerator in South Lanarkshire, the surrounding farms produce milk for Marks and Spencers who only take the top 2% quality milk for supplying their food stores. If the incinerator had progressed this may have had a 'national' impact on milk producers and the food industry who were concerned about the impact this may have had on dairy producers. Contact your local National Farmer Union to establish what products are produced locally (NFU; www.nfuonline.com).

Seek to find independent sample studies of the affected sites. SEPA can advise on recommended companies to undertake this task on your behalf.

Land and Property Valuations

Your campaign group should encourage residents to have house valuations carried out on their homes. Claims can be made to the Assessors Office for a council tax rebate as the proposed building and operations at affected developments may affect a material reduction in house prices which may result in the council having to reduce your council tax. It is also worth noting that if approved, ALL properties within 10km radius of the affected development will legally be required to declare this within their property reports for people are seeking to sell their homes. This devalued a house in South Lanarkshire by 50% when they were notified of an incinerator was being constructed adjacent to their property. This will help focus peoples attention.

‘A corrupt government is only as strong as the weakness of the people who elected it.’



‘Open your eyes...
to what you do not see.
Open your ears to...
what you do not hear.
Be enlightened that you
might enlighten others’

COMMON WEAL

Equality Impact and Environmental Impact Assessments

These are a requirement by law and can enable groups to influence, delay and impose conditions that can deter developers. Council's are required under the 2010 Equality Act to establish whether or not there might be any discrimination taking place in regards to its decision making processes. Request a copy of the Stage 2 EIA from the Planning Department and ask them who carried this out and when, as this should be done prior to any construction/operations taking place. In addition, request a copy of the Environmental Impact Assessment to establish the impact such a proposal will have on the environment and people surrounding the area.

Complaints to the Local Ombudsman

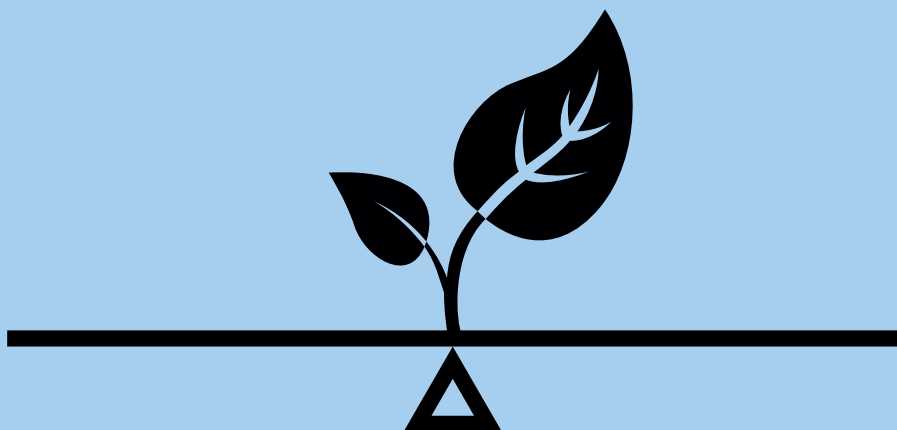
The Scottish Public Services Ombudsman (SPSO) is the final stage for complaints about public services. They usually only look at complaints that:

- have completed the organisation's own complaints procedure
- have not been considered in court
- the person complaining knew about less than 12 months ago

Your campaign group and individual residents must make formal complaints initially through South Lanarkshire Council and thence onto the Ombudsman (Scottish Public Services Ombudsman, FREEPOST EH641, Edinburgh, EH3 0BR, Tel: 0800 377 7331; www.spsa.org.uk or to download further information on how to complain: www.spsa.org.uk/sites/spsa/files/communications_material/leaflets_public/general/1411HowToComplainToTheSPSO.pdf). You may wish to consider submitting mass organised complaints.

Directors of Applicant Company

Investigate the company concerned and their directors to establish their environmental record and previous convictions. Seek past court actions against the companies and their directors and promote your research through various media. Some companies are fronts for bigger companies but you can find out further information via Companies House in Edinburgh and search the respective companies via Google. If you have serious concerns about particular directors being able to 'phoenix' companies continually through previous companies going into receivership then seek to expose this through the press, social media and political representatives. ([Companies House, Edinburgh Quay 2, 139 Fountainbridge, Edinburgh EH3 9FF, Tel: 0303 1234 500](#)).



‘For ideas to flourish...
you need the foundations,
For foundation to take root...
you need the seed,
Your task is to plant the seed.’

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Ministerial Meetings

Pursue meetings with government ministers. It's the political pressure and the cost of 'fighting the people' that may count. Do politicians want re-elected? Challenge Local Authorities on their commitment to the National Zero Waste Plan (national renewable targets) and question governments and local authorities on their ability to meet national and international climate change targets if the application proceeds against national objectives.

Depending on how far you want to take your campaign you can make submissions to consultations on government policies that directly, or indirectly, affect you campaign eg. responding to National Planning Framework, Scottish Planning Policy or Environmental Regulations etc. Additionally you can apply public pressure to request a Public Health Enquiry through your supporters directly to national government. Each action in itself may be unsuccessful but the accumulation of the many actions over a sustained period can weaken the applicants resolve and apply enough pressure to bring political will to bear on the threat. If your cause is true, time is no barrier.

National Campaign Group

If appropriate, seek to join with other campaign groups of a similar nature across Scotland in protesting against the threat facing you. This may include national issues of common concern like the lack of a third party right to appeal to the Scottish government (only applicants have this right), improving public consultation on the national waste policy and seeking a public petition to review the national policy on particular issues. Forming a national coalition such as 'the Anti-Fracking Alliance' may enable you to share expertise, resources and focus the politicians to influence national policy and legislation.

Community Awareness

Most of your actions will be of a strategic nature primarily involving the Core Group. However you should always try to involve the community where possible in keeping awareness of the issues alive. This can be done in a formal way through public meetings as previously discussed but you can also seek to inject an element of community spirit through fund-raising events such as Ceilidhs, Car Boots Stalls, Coffee Mornings and Musical Entertainment evenings. These events will enable your group to brief supporters as well as encouraging participation by social interaction in a positive spirit of friendship and appreciation of what you are trying to protect for the community benefit.

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S O U T H L A N A R K S H I R E



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Education

Knowledge can be power but don't let those in power have all the knowledge. Share what you have learned with others. Discuss your progress at public meetings. Inform supporters through social media and word of mouth of the threats posed to your community by the development and be positive about what can be done to prevent such threats becoming a reality. Not everyone will want to know the detail of the threats posed but even a little information can go along way in influencing your supporters and encouraging involvement in your campaign.

“Legito ut discus”; ‘read that you may learn’

Contacts

The most effective communications you have are your grassroots supporters who need to be active on the ground. Ensure you create an email contact list of community supporters (get people to sign up at public meetings and through social media), press contacts local and national, councillors, MSPs, MEPs and MPs, agencies (SEPA, SNH, NFU, HSE etc). This is a vital means of updating the wider community and encouraging participation in protest events when your group has to respond to developments in the process of campaigning.

Summary

These actions are not exclusive to any campaign. Every campaign is different and should evolve naturally with grassroots support. The most important asset you have is the people. If you have the people, you will have the ideas, the commitment and the enthusiasm required to take the fight to those in power who determine the outcome of the issues. Always remember...the decision makers in power can be changed by the very people who gave them the power to represent their communities. If your will, is not their will, then you can elect others who share the will of the people.

*“the people should not be afraid of their government,
the government should be afraid of their people”*

COMMON WEAL



SOUTH LANARKSHIRE

What is the Common Weal all about ?

It's about you, your community and creating a better society.

What does the Common Weal do ?

We support people to campaign for a safer, fairer, more equal society that seeks to improve the lives and wellbeing of all.

How does the Common Weal do that ?

We meet, listen, discuss, campaign and action your needs, in your community and nationally.

What has the group in South Lanarkshire done ?

- Supported the campaign against an incinerator in Hamilton
- Supported the national campaign against fracking
- Established a 'back to school bank' in Hamilton
- Initiated a campaign against public investment in arms trade

How do I find out more about the Common Weal ?

You can find out more via the Common Weal website at www.allofusfirst.org or come along to one of our regular advertised meetings.

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'Dare to dream of a better Scotland'