

# **THE LAND IS OURS**

*a landrights campaign for Britain*



## **Transcript of the Rural Settlement Forum**

**14 December 1996**

### **The Land is Ours**

16b Cherwell Street, Oxford, OX4 1BG

Tel: (01865) 722016

e-mail: [office@tlio.demon.co.uk](mailto:office@tlio.demon.co.uk)

web: <http://www.oneworld.org/tlio>

## TRANSCRIPT OF TLIO RURAL SETTLEMENT FORUM, 14th DECEMBER 1996

### July Lowe, manageress Battlebridge Centre, the venue for RSF:

In 1989 I set up the Community Creation Trust. I had already been a member of the Walter Segal Forum for some time and realised that land was the great question, not peoples' willingness to build their own home with sustainability in mind. I also realised that the WSF was not the place to tackle this question, it was primarily a group teaching self-build techniques. I have been a builder for fifteen years and knew that it was possible to build 'ecologically' such as using a timber frame very easily and cheaply: I was also aware that people wanted to take part in the building of their own homes, giving them a greater sense of place and ownership.

I went to a lawyer explaining that I wanted to set up a charitable trust that would hold land for people in perpetuity, so that they would always have land to live, work and grow food on. I was told that it was not possible under English law. If you are very rich you can hand your land over to the National Trust, in which case everyone has access to the land. This is done through an act of Parliament but I feel this is something for one percent of the country who are very rich. I felt what was needed was a mechanism which the other ninety-nine percent of the country could use. I was told that it could not be done under charitable law. Despite this I went ahead with plans for a charity to be called 'The People's Land Trust'. We defined our aim as: "To promote building design and techniques, and human behaviour that is not harmful to the planet". This gives us very wide objectives, and we have fallen foul of the Charities Commission twice on our interpretation of what this means. I wish that I had run it in a different way, such as a company, so that it might have grown quicker than it has. We wouldn't have been able to have the Battlebridge Centre if we weren't a registered charity, so in some respects we have used this mechanism so that we could get a large Ecological Centre, but also that we could have examples of ecologically built homes:

We have twelve timber, ecologically built chalets at the front of the centre which are bedsits, each with their own toilet, shower and small kitchen. There are twelve registered homeless people living here at the moment. There are plans to have sixteen chalets like this, plus a further eight dwellings of different design such as strawbale and 'round earth'.

That is the situation at the moment; it has been a difficult path as we have been a mixture of social and environmental equity. This has been difficult for the Charities Commission to deal with, but we feel it is up to them to catch up, we feel this is sustainability and this is where it is going. We are now talking to Land and Liberty, The Henry George Foundation about The People's Land Trust.

One aim is to have property held by the community for the community. Presently it is not allowed in perpetuity, though I think that if a movement grows to any great degree, people will be able to change the law. It is not so far away as people think; there have been several instances this century where people have wanted to do this and have had their land, rather than their labour, taxed. The PLT also wants to promote educational and ethical taxation. I want PLT to be a movement and I want it to be co-operatively run.

**John Dunkley:** How long do you see PLT and the Battlebridge Centre running for, bearing in mind the development planned for the King's Cross area?

**July:** There is no link between the two; the Battlebridge Centre is run by the Community Creation Trust and that can't be changed unless we got to a situation where the landlords said that we could purchase the land, at which point we could decide whether the CCT or the community itself bought the land. This might be a

difficult decision, the trustees themselves are keen for the trust to own the land but they would also like to be relieved of responsibility for it. The CCT does not own the PLT, other people must be involved in PLT for it to flourish. The Battlebridge Centre has had a four year licence, and will be granted a further two years in February 1997. However the centre can be compulsorily purchased at any time by Union Railways who want to own all the adjacent spare land to build a new rail terminus at St. Pancras station, or indeed then sell it on for housing at a later date perhaps. We have approached the owners of the land regarding its purchase but the owners say Union Railways will be outraged if the land is sold to someone other than themselves.

**Mike Hermes:** How does the People's Land Trust hope to raise money?

**July:** I am hoping people will come forward with ideas. I would like to introduce ethical shares, and community warrant schemes from people like Triodos Bank and the Ecological Building Society.

**Craig Muelen:** With regard to land 'in perpetuity', I am involved in a project called Plants for the Future down in Cornwall. We have twenty eight acres of land which supports vegan organic horticulture. We are looking long term, for example the monkey puzzle trees won't be yielding a crop for fifty years. We have set up an educational charity the aim of which is to educate the public in methods of organic horticulture. The land will be given to that charity with the belief that the land will continue to be farmed organically as long as the charity exists. The land is separate from the charity's assets and revenue. Should the charity get into debt the land should still be protected. This is the closest I have found for land to be kept in perpetuity.

**July:** You are relying on the calibre of the trustees to remain intact. You may have good people at the beginning of a Charity whose direction may change with new trustees. I've had three cases brought to me just recently that illustrate this. For example land was granted for the use of the people of the metropolitan district of London, but the Trustees, local councillors, are selling the land to a developer who will build a housing estate. The Charities Commission has given their approval. I suggest that the people who are living on and working the land become the trustees.

**Craig:** You can't do this. There is an inherent contradiction between co-op law and charity law. Charity Law applies to a body running something on behalf of others, while co-op law is for people running something themselves. At Plants for the Future the trustees are sympathetic to but separate from the Co-Op which works the land. Even if the Co-Op was in control of the Charity its members could change sufficient to alter the fate of the land.

**Mike Hermes:** Can not the land at Plants for the Future be protected by passing down ownership of the land to a party that will commit themselves, legally, to continue the farming methods currently in practise?

**Craig:** The board of trustees will have to sort this out in advance.

**July:** Concerning your point about trusts, John, I understand that you can force a trust and make a will, but you can be taken to court and have the will busted, am I right?

**John Dunkley:** It is possible for two reasons:

- The will wasn't executed properly
- A dependant, who must be the challenger to the will, has not been provided-for.

**July:** So it is important for the trustees to make sure their dependants are

catered for. It has happened in rich families that the children have claimed land from their parents. I think we only have grounds to control the future on ecological grounds.

\*\*\*\*\*

**John Dunkley, Earthrights:**

I am here for two reasons, one is to put the services of Earthrights at your disposal, and second to try and comment on the government's Planning Policy Guideline number seven (PPG7):

EarthRights is an Environmental Law Centre, currently at the Battlebridge Centre, with the aims of:

- Using the law to protect the environment
- Providing a service to those who can't afford otherwise to use the law to protect the environment
- Providing education on environmental rights
- Carrying out research on environmental rights

Up until now we have mainly been involved in anti-pollution campaigns, though we have been involved on land issues occasionally such as Wandsworth Road and Newbury. We do want to become more involved with the question of land ownership:

Planning Policy Guidelines are issued by the Department of the Environment to be used by local planning authorities when they draught their development plans, and provide the framework for the consideration of individual planning applications. PPG7 is divided into a main-text and a set of annexes. As far as the democratic use of land or alternative uses of land, the main text refers to a dichotomy between urban and rural housing and employment. This dates back to the founding of the planning system at the end of the second world war. It persists in the view if it is urban land you have planning control, if it is agricultural land there is none. Now in the setting up of self-sufficient communities there is a mixture of land use. PPG7 still does not seem to address this issue. Things that it does refer to which could be of use, when putting in an application for planning permission, are things like sustainable development. There is a cautious definition of sustainable development in the document. There is a section dealing with environmental quality. One clause in this section refers to the government's objective to acknowledge and exploit the interdependence of environmental protection and economic development in rural areas. This clause could be used to support planning applications for self-supporting communities in the countryside. It is important to remember that you cannot escape the planning system. It is important to remember that even if land ownership is disguised through secret trusts this does not stop local authorities enforcing planning restrictions. For communities to have a future they must work within the planning system not outside of it. It will be very helpful, if you are prepared to do so, to get involved in the draughting of the local plan where you wish your settlement to be. Maybe you can help craft a document, using such aids as Agenda 21, that will be sympathetic to your subsequent proposals.

What is particularly important to individual communities appears in Annexe G, concerning agricultural and forestry dwellings. This could cause real problems, people will have to be careful. If someone wants to create a new dwelling on agricultural land, if they want to live in the vicinity of where they are working, before they can apply for a permanent dwelling they must first seek permission for a temporary dwelling and this should be in the form of a caravan or other temporary accommodation. In applying for temporary planning permission the applicant has to show that there is:

- A firm intention and ability to develop tire enterprise concerned.
- A functional need

- Clear evidence that the enterprise has been planned on a sound financial basis.

There is effectively a limit to five years for temporary accommodation after which you must apply for permission for a permanent dwelling. It must be shown that the attached agricultural unit has been profitable for at least three of the past five years. The culture of PPG7 seems to be against self-supporting communities, it will be helpful in putting in an application to include some projected accounts.

Simon Fairlie: I think there is one, good thing about PPG7. The document states that local authorities are advised to develop a policy for agricultural holdings of under five hectares. This is a vacuum and we should be filling it.

\*\*\*\*\*

Chris Black; the development of Tinker's Bubble in Somerset

Sometime ago I bought a field at Kings Hill near Pilton in Somerset, believing that it was everyone's God given right to have at least a small piece of land sufficient to put a bender on. I felt very good about buying this small piece of land, and I moved on to the land quickly along with others. What brought the question of land to a focus for me was, one day I bought some sheep which I placed in a small part of the field, kept in by an electric fence. Two vegan friends who were living in the field, who I liked very much, started shouting at me saying that it was cruel for me to fence in the sheep. I decided that it was my field and these two were only living on the edge of it; to try and resolve the problem I looked in to the idea of shared ownership. I asked people to buy a share of the field. The cost was quite expensive as I had paid nearly £3,000 an acre, agricultural prices.

At about this time I heard about the Tinker's, Bubble site, and the group of people that were trying to buy the land. It was a fantastic bit of land forty acres, a lot of which is old woodland plantation with a stream running through it and relic apple orchards. I thought the project involved a lot of interesting people and I wanted to get involved. We needed to raise £55,000 to buy this piece of land. I had sold my house had had about £25,000 pounds spare. We were able to raise half the cost of the land straight off. We moved on to the land on 1st January 1994. Now anyone joining the Tinker's Bubble settlement is asked to pay a thirtieth share in the project which amounts to £2000. About six people live at Tinkers Bubble at the moment all of them men. We did have a family, a couple with four children, they were there for two years but finally decided that they had had enough and went to live in a council house. We are trying to find more men and women who will get involved, for we have twenty seven acres of dense overgrown woodland which needs harvesting and thinning, more than we can deal with at present. We do coppice the woodland but at the moment we are concentrating on thinning the Douglas Fir, as there should be half as many as there are now. There are six or seven kinds of low impact dwellings such as benders, marquees or yurts. Everything is done by consensus; we have monthly meetings which usually take many hours. We are not self sufficient in food though individuals have started to grow their own vegetables. We weren't able to organise a communal growing area. There are five or six patches, ranging in size and method. We have decided that we will not use fossil fuels. We are striving for no one to be claiming any government benefits, and I believe we are there. We have borrowed some money and bought a steam-engine which runs well on all the Laurel which is growing on the site. We are now able to saw up the Douglas crop and we will be able to sell beams and planks which will provide most of our future income. We would like to build wooden and thatch or wattle and daub dwellings be are still waiting planning permission for the tents. We did not put in planning permission for our dwellings until we had to. When asked we put in a planning application for seven tents. This got

turned down by a committee: 6 for, 7 against. Most locals have been won over and support the project. The inspector had recommended that we should have planning permission for three years, but Mr Gummer overturned his inspector's recommendation. It then went to a High Court judge, who simply sided with Gummer. We tried to get an independent view from a QC using legal aid, but he having already given a favourable decision in the case of Tepee Valley, said that we did not have a case to take to the High Court of Appeal. So we may have gone as far as we can with legal aid. My feeling is that we should go ahead with our plans and allow the planning system to catch up later.

I am keen to start some rural workshops based around an old watermill just down the road from Tinker's Bubble. I would like to reintroduce a hemp crop which has the greatest biomass yield per year of any crop. It can be used to make fuel and clothes and many other products. I am negotiating with Triodos bank to fund this project. I am thinking that if we had a plan that involved fifty acres of hemp that this would provide enough income to pay the interest on some kind of loan. Triodos say that if they back the project the interest will be ten percent per year. I would love to talk to anyone who wants to get involved in this project.

I think there are many homeowners who would like to get involved in rural projects but don't have anyway of investing an unpaid mortgage. It would be very helpful if some kind of banking system could be devised to get round this problem.

I just want to finish up with a word about the Council for the Protection of Rural England. I think they have a really bad attitude to the rural landscape and it should not be fossilised in the eighteenth or nineteenth century. It should be remembered that nearly all the British landscape has been shaped by man and introducing new methods of land management to an area will inevitably change the face of the land.

\*\*\*\*\*

## **THE "JARNDYCE & JARNDYCE" OF PLANNING CASES**

### **BRIG OUBRIDGE describes the 12-year struggle of the Tipi Village**

In 'Bleak House' Dickens describes the interminable legal case of Jarndyce & Jarndyce which dragged on for year after year to the impoverishment and ruin of everyone concerned except the lawyers. The equivalent in planning law cases must surely be that of the Tipi Village in southwest Wales, now entering its thirteenth year.

On one side is a community of over 100 people living an environmentally based low impact lifestyle in a collection of tipis, yurts, thatched huts and caravans in a remote valley they own themselves and refuse to leave. On the other are ranged the now defunct Dinefwr Borough Council, its new successor Carmarthenshire County Council, the planning establishment of the Welsh Office, and successive Tory Secretaries of State from Nicholas Edwards to William Hague. The latest episode in the story will be a judicial review against Hague in the High Court in the New Year.

The Tipi Village settlement was established in 1976, on land bought from two sympathetic local farmers. For eight years the local council (Dinefwr) took no action, and it was assumed that the Native North American style tipis did not break any planning regulations as they were not buildings and were moved about regularly to avoid any permanent damage to the land. Then in late 1984, in the midst of the miners' strike and at the height of Maggie Thatcher's paranoia about "the enemy within", the council issued two enforcement notices alleging that the tipis constituted an 'unauthorised change of use' of the land from agricultural

to residential, and the long legal wrangle began.

The notices were appealed against, so in 1985 there was a fourday public inquiry at which the Welsh Office inspector found that the notices had been wrongly issued and should be quashed. He also found that the Tipi Village was a unique community which was, if anything, environmentally beneficial to the area, and that it deserved special consideration and the granting of planning permission. The then Welsh Secretary, Nicholas Edwards, called in the inspector's report and put it on the Welsh Office shelf until he became Lord Crickhowell and moved on to head the National Rivers Authority.

After the 1987 election, Edwards was replaced by Peter Walker. Within weeks he had cleared the Welsh Office shelves, overruled his inspector, and given the tipi dwellers 12 months to get off. They appealed again, and there was a further delay of 18 months before a High Court judge decided in January 1989 that the council's original failure to serve the notices properly had not prejudiced anyone's interests, so Walker had been entitled to overrule his inspector and the notices should stand. (The fact that the judge concerned had just received a knighthood in the New Year honours can only have been coincidental!)

In spring 1990 the 1984 notices finally came into effect, but proved to be unenforceable. Because they applied to only a part of the Tipi Valley area, the tipis simply performed their usual spring migration to the neighbouring fields which the notices didn't cover. In the autumn they moved back to their usual winter pitches, but the council found they still couldn't issue summonses for breach of the notices because they couldn't identify who lived in which tipi.

In 1991 the government passed a new Planning & Compensation Act, which gave councils increased enforcement powers. In the meantime, Dinefwr's enforcement officer had apparently found the strain too much, and had gone on extended sick leave, but in 1992 they appointed a replacement and the game resumed.

When the new man began flexing his new powers, I obtained a copy of the 1991 Act and took a close look at it. I found that it also contained a new provision whereby any breach of planning control which had gone on for over ten years was immune from enforcement action and entitled to a 'Certificate of Lawfulness' - equivalent to an automatic grant of planning permission. In fact, "building, mining and engineering operations in, on, over or under the land" are immune after only four years, as is "the conversion of any building to a single dwelling house", but tipis and caravans come under the catch-all clause of the 14-year rule which applies to "any other breach of planning control".

I own half a field in Tipi Valley, which is one of those outside the area of the 1984 notices. The new law said that I was entitled to a certificate of lawfulness, so in January 1993 I put in an application supported by four sworn affidavits stating that the land had been lived on for over 14 years. That April Fool's Day the council turned me down on a pretext of insufficient evidence - the only legal ground available for a refusal. To do so, they had chosen to believe false evidence concocted against me by a local farmer who was a long-term dedicated opponent of Tipi Valley, and a recent newcomer to the area who apparently thought he could enhance his property value if he could get rid of the tipis. The council rushed through their refusal without giving me any chance to refute this false evidence, and a month later they served an enforcement notice on me even though they knew I was preparing evidence for a re-application.

That August I re-applied, submitting a huge volume of new evidence including sworn statements which disproved the unsworn concocted evidence against me. Amazingly, the council refused me again, although by this time they clearly had no legal grounds for doing so. I appealed, and the case finally got to a public inquiry in January 1995.

The inquiry produced amazing revelations of council wrongdoing. Under cross-examination by my barrister Alan Masters (who had also represented the tipi dwellers at the 1985 inquiry) we found that the false evidence had actually been withdrawn in March, a few days before the council had considered my first application. However, the Planning Department had not only failed to inform councillors of this on April 1st, but had cited the same false evidence against the re-application as well!

Another council officer who stated in evidence that there were definitely no dwellings on the field in question when he visited it in January 1983 was found to have a photograph in his file which proved that at least one tipi and two caravans had been there at that time. It was even found that the council had in their files a map they had compiled in 1976 showing "Hippy Settlements" in the area, on which my field was arrowed and labelled "greatest concentration here"! Confident of victory, Alan Masters also applied for costs on the grounds of the council's unreasonable behaviour.

Although most planning appeals are decided by the inspector who holds the inquiry, the relevant Secretary of State has the option of 'calling in' the inspector's report and deciding it himself. In this case John Redwood followed the precedent set by Nicholas Edwards by calling in the report and leaving it on the shelf for his successor to deal with. The hapless Mr. Hague let it gather dust for as long as he could, but under pressure from local MP Dr. Alan Williams he finally came up with a decision in May 1996.

The inspector had decided that a certificate should be granted for one caravan and 3 tipis, although he disallowed a second caravan which had been claimed because at the beginning of the 10-year period its principal use had been as a communal food store and bakery rather than a residence. Even after 15 months delay, Mr. Hague was unable to find any reason to disallow the one caravan, but in regard to the tipis he came to the extraordinary but ingenious conclusion that there appeared to him (although on no evidence in particular as far as I can make out) to have been an 'intensification' of the use of the field in the mid 1980s; that this intensification (rather than the original change of use) was what constituted the significant breach of planning control; and that as this had occurred less than ten years before the application, he decided not to allow the tipis.

This certainly seemed to be a peculiar decision, and in consultation with my lawyers we decided that, as well as appealing against the two decisions (one on the lawful use application and the other on the enforcement notice), we should also apply for a judicial review hearing. On appeals, the judge can only refer the matter back to the Secretary of State to reconsider in the light of the judge's observations on points of law. On judicial review the judge has wider powers: he could for example, set aside the Secretary of State's decision and substitute that of the inspector. In my case, he will also be able to take into account the inspector's remarks regarding costs which have remained secret so far.

It is as well that we decided to go the judicial review route as well as lodging the two appeals, because at the end of November William Hague conceded the two appeals on procedural grounds. He admitted that he had erred in law because when he decided to overrule the inspector he should have written to the parties and invited them to comment before making his final decision, and this he had not done. By conceding on that point, he got the matter referred back to him without a hearing, so it is only through the judicial review proceedings that the wider issues will be considered. We are presently awaiting a date for this, some time in the New Year.

However, this is not the only Tipi Valley case still outstanding, nor is Mr. Hague the only cabinet minister facing High Court action over planning decisions in regard to "low impact moveable dwellings" housing 'alternative' communities.

At the end of summer 1995, Dinefwr Council again appointed a new enforcement officer. Like his predecessor, he had to pass an initiation ritual by doing something about Tipi Valley - this time with the added incentive of having to show he was on the case in order to keep his job when Dinefwr was merged into Carmarthenshire last April. He chose to target two families in caravans on fields beside the road at the top end of the Valley, and issued two sets of enforcement notices. Both families appealed on the basis that those fields had been used for that purpose for over ten years.

The first case involves a family formed by the union of two single parents with a combined total of seven children between them. Their public inquiry took place at the end of October and beginning of November, and the inspector's decision has just been released this week. (This case was not called in by Mr. Hague.) The decision hinged on whether the council could avoid the 10year rule by specifying only a small part of the field rather than the field as a whole. This legal point could well provide further grist for the slow-grinding mills of the Welsh Office and the High Court.

The case involved two enforcement notices; one against the change of use of the land from agricultural to a caravan site, and the other against the excavation of a level area of hard standing. Both notices related only to the area of the hard standing, but we argued that the change of use notice should have taken in the whole field, which had been used for caravans since 1977.

The inspector's decision attempted to split the difference between ourselves and the council and has left us with what I can only describe as an Alice in Wonderland situation. He found in our favour in regard to the hard standing, because, being an "engineering operation", it required only four years to become lawful; but he found against us on the change of use by choosing to consider only half of the field as the appropriate planning unit for that purpose. By excluding the track which runs across the middle of the field, he also managed to say that there had been a break in the use. The family concerned now have less than 28 days to take legal advice and to decide whether to appeal to the High Court.

The father of the family in the second case has lived in Tipi Valley since 1977, when he came there to live with his mother at the age of 11. In that case the council tried the same tactic of targeting only a small patch of the field, but came badly unstuck at the public inquiry in late November when we were able to show that the area they had chosen missed out one of his two caravans completely and cut through the middle of the other. The inspector insisted that the council should withdraw the notice, allowing us to celebrate at least a temporary victory that the Welsh Office couldn't overrule. However, this case is likely to reappear before too long, and that family will be applying for a certificate of lawfulness before the council planning department can re-issue their enforcement notice.

Both these cases have a long way to go yet, and there are still plenty more fields in Tipi Valley which have avoided any enforcement notices so far, so the possibilities for municipal and legal job creation seem endless.

Meanwhile in England, John Gummer has been as keen as his colleagues in the Welsh Office to overrule his planning inspectors when they dare to find in favour of people living in communities under canvas. The Kings Hill community near Shepton Mallet and the Tinker's Bubble community near Yeovil have both had favourable decisions from public inquiries overturned by the Secretary of State for the Environment, and both are mounting High Court challenges. It seems that Maggie's concept of the enemy within is still alive and well in the minds of Tory ministers, at least when it comes to hippies in tents cluttering up the countryside and trying to be self-sufficient on land that ought to be reserved for golf courses, fox hunting and other such legitimate pursuits. These cases certainly make a mockery of the words I heard John Major proclaim in a party political

broadcast last week - that Conservative government means freedom for people to choose where they want to live and how they want to live. The question is, even if Major, Gummer and Hague are all voted out of office next year, will any new government actually be any more sympathetic, or will the mindless bureaucratic juggernaut of the planning system remain just as rigidly unresponsive to new or unorthodox forms of rural settlement? **Brig Oubridge** **12/12/96**

*Brig added in the question and answer session that some food is grown at Tepee Valley. The site was sold off by farmers because it was low quality land; it is north facing. There are about a hundred to a hundred and twenty people on the site at the moment including children. A very high proportion of these people are receiving council benefits.*

\*\*\*\*\*

**Craig Meulen, Radical Roots**

I have been involved with a project in Cornwall called Plants for the Future, who are trying to set up a small ecovillage. They want to demonstrate the cultivation of over 1500 perennial plants on a twenty acre site. To demonstrate their uses we want to live on site and use the plants. Planning restrictions mean that we have to live three miles from the site and commute by car. Having unsuccessfully fought for planing permission for a polytunnel, let alone a dwelling, Plants for the Future has now devised plans for the eco-village and is searching for a local authority in Devon or Cornwall who is sympathetic to these plans, who could identify a site were the settlement could be built. The present local authority then had a change of heart and have instructed their forward planning officer to try and identify a site.

Radical Routes is a national mutual aid support network of small worker and housing co-operatives. The network is quite diverse stretching from Manchester to Machynlleth in west Wales, and from Brighton to Cornwall. There are about fifteen workers Co-Ops and fifteen housing Co-Ops. It includes co-ops that do electrical contracting, run organic vegetable delivery services, produce magazines and grow plants. RR consists of about half workers co-ops and half housing co-ops. There is a lot of overlap between the two types of co-op. RR organises four meetings each year to which new Co-Ops are invited. The next meeting is in Birmingham on 25th/26th January 1997.

I am in a small workers co-op called Catalyst Collective which is a member of Radical Routes. We are a small business of three members which produce the magazine 'Greenline' each month. We aim to be an information service to help new co-ops set themselves up, trying to incorporate ideas of 'best practise. We tend to work with mainly fully mutual housing co-ops. They are set up along the lines of a company; it is set up as a limited body which owns the land or the houses. The members of the co-op function as directors, controlling the running of the co-op, and they also pay 'rent' to the co-op so it is self-financing. The members of the co-op should have complete control. There are several tax advantages and this is the model that we recommend. If there are four or less family units wishing to start a settlement then they could simply club together and buy a piece of land without creating a co-op, for this is the maximum number that can own a piece of land jointly under English law. Another method is to create a trust, which might be as simple as four people putting their names to the deeds of the property/land. To set up a Charitable Trust, which have various legal structures, can prove problematical as Trustees are not able to live at the co-op and receive council Benefits, or use the resources of the Trust. There are also co-ownership schemes, where there are communal areas owned by the co-op but each family unit owns its own dwelling. These schemes have been very successful in America and Denmark, there are a few examples in this country. There are no legally qualified people in Catalyst Collective but we are learning as we go along what works and what

doesn't. The usual mechanism for starting a housing co-op is sufficient loans and mortgages are secured to buy some property which the members of the co-op as tenants pay rent to itself allowing the mortgage and loans then to be paid off. When all the loans and mortgages have been paid off the co-op can then decide on a new, much lower level-of rent. We recommend a 70% mortgage from a bank or building society, e.g. Triodos Bank, The Ecological Building Society, The Co-Operative Bank, and the other 30% must be raised by the members of the Co-Op. Using the fully mutual Housing Co-Op structure you are able to receive loanstock from the public. Money is invested in the Co-Op for a period of time, five, ten years, and an interest rate is agreed upon. The Co-Op can advertise publicly for loans in this way. This has evolved into an Ethical Investment Fund, where people buy loanstock in Radical Routes itself. This Being a network of Co-Ops is seen as being a more reliable place to invest money, rather than just a single Co-op. The members of Radical Routes can then have access to this loan fund. From this loanstock we can lend a new housing Co-Op up to 20% of the initial cost, leaving them to come up with just 10% of the initial cost of the property. Radical Routes has now raised over £300,000 of loanstock from the general public, of which about two thirds has been loaned out to Co-Ops. This has contributed to the purchase of over a million pounds worth of property.

\*\*\*\*\*

There followed a slide show and talk from John Broom of Architype, showing examples of self-build design both in the UK and abroad.

Michael Hermes explained that someone in the U.K. was already compiling a database of people and resources that hopefully could be matched up, to launch self-supporting communities. The person to contact is Mark Warner at Eco-Village Network U.K., C.R.E.A.T.E., 'B' Bond Warehouse, Smeaton Road, Bristol, BS1 6XN. Tel: 0117 925 0505, Fax: 0117 930 4330, Email: CREATE1@Cityscape.co.uk

In the final discussion about the meeting Michael Hermes expressed his disappointment at the lack of attendance at the meeting. Perhaps this was due to a lack of publicity about the meeting. Tony Gosling was keen to organise another meeting but no-one offered to undertake this. It was suggested that events like Glastonbury or the Big Green Gathering would be better venues for such a forum, with a crowd likely to be interested already there. There was an impromptu visit from a man from the National Parks Conservation Trust, who explained that the Trust had access to hundreds of empty properties within parks all over the country. They were looking for groups who could make use of these properties, giving preference to projects of an educational slant.

Thanks goes out to all the participants, especially the speakers travelling from far afield.

NB: There is no transcript to Mike Fishers talk, but it is covered in the article "*How to get Planning Permission to live on the Land*" published in Land Essays 3.

Linda Steer (London), Krayg (Lothwithiel), Richard Irvine (Devon), Jack & Phyl Cato (Oxford), Tiffany Pearson (Oxford), Moth (Keveral), Brig Oubridge (Tipi village, Marchoglwyn), Jon Broome (Architype, London), Ralph Raistrick (Oxford), Richard Edwards (Aylesbury), Jean Vidler (Kingston, Surrey), Maureen Boustred (Sevenoaks, Kent), Chris Black (Tinkers Bubble, Somerset).

\*\*\*\*\*