

## **Land Reform Review Group: Call for Evidence**

### **Introduction**

You are invited to submit evidence to assist the work of the Land Reform Review Group (LRRG). The Group has been set up by the Scottish Government. The Government has asked LRRG to develop innovative and radical proposals that will contribute to Scotland's future success. The Group's remit is attached at Annex A.

The Review Group is chaired by Dr Alison Elliot. Its vice-chairs are Dr Sarah Skerratt and Professor James Hunter. Brief biographical details are at Annex B. LRRG will draw on the expertise of a 12-strong advisory panel whose names, together with brief biographical details, are at Annex B.

LRRG's work will be taken forward independently of Government. The Group's workplan is at Annex B. The Group expects to make a first report, outlining proposals that can be implemented relatively promptly, in May 2013. A draft final report will be completed in December 2013. A revised final report will be submitted to Government in April 2014. It is expected by Government that the report will include recommendations as to how further land reform can be promoted and secured.

LRRG has been given a wide remit. The Group's work and recommendations will have implications for cities and towns as well as for the countryside. To ensure that its reports are as soundly-based as possible, LRRG wishes to draw on the experience and knowledge of both organisations and individuals with an involvement or interest in land ownership, access, farming, crofting, forestry, the natural heritage, social and affordable housing, planning, economic and community development. The Group will also be happy to hear from others.

### **Issues for your consideration**

As its Remit states, LRRG will identify how land reform will:

- Enable more people in rural and urban Scotland to have a stake in the ownership, governance, management and use of land, which will lead to a greater diversity of land ownership, and ownership types, in Scotland;
- Assist with the acquisition and management of land (and also land assets) by communities, to make stronger, more resilient and independent communities which have an even greater stake in their development;
- Generate, support, promote and deliver new relationships between land, people, economy and environment in Scotland.

You are invited to think about how those potentially far-reaching objectives can best be accomplished and to share your views with us.

When compiling your submission it would be helpful if you'd address each of the above bullet points separately and if, dealing with each of the bullet points in turn, you'd:

1. Outline your vision of *how* things could be different and explain *why*, in your opinion, they *should* be different;
2. Indicate any barriers there may be in the way of attaining your vision;
3. Suggest how these barriers could be removed and progress facilitated – whether by voluntary, legislative, fiscal or other means.

Please be as specific as you can, referring to particular opportunities, difficulties and experiences.

We appreciate that our remit is such as to result in very many topics falling within its scope. There's no need for you to try to deal with all of these. Please feel free to concentrate on matters of most concern to you or your organisation. Feel free, too, to indicate what aspects of the wider land reform agenda ought, in your opinion, to be given priority by the Scottish Government and Parliament.

In compiling your submission, you should be aware that LRRG has been asked by Government to have regard to:

- The sustainability of its proposals for reform, including their economic impact;
- The importance of good stewardship and governance of land;
- The relationship between urban and rural concerns and opportunities;
- The relationship between local and national interests.

You might wish to consult a research paper, *Overview of Evidence on Land Reform in Scotland*, published by the Scottish Government in July. This paper is available at: <http://www.scotland.gov.uk/Resource/0039/00397682.pdf>

The *Overview* deals mainly with the impact of the Land Reform (Scotland) Act of 2003 and with the extent to which that Act has delivered, or failed to deliver, the Scottish Parliament's land reform objectives. One of LRRG's tasks will be to make suggestions and recommendations as to how the 2003 Act might be amended in ways that, for example, make it easier for communities to obtain ownership of land and/or other assets.

We should like to hear how this might be done. We should especially like to hear from individuals, organisations and communities who have made use, or thought

about making use, of the provisions of the 2003 Act. How do you think the Act's land reform objectives could be more effectively achieved?

More widely, how might communities outside the Highlands and Islands, where most community ownership initiatives have so far taken place, be encouraged to think about ways in which such initiatives might improve their prospects?

Our work will not be limited to consideration of existing legislation. Already our attention has been drawn to a variety of potential reforms that would, for example:

- Expand community ownership of land, housing and other assets in both town and country and in all parts of Scotland;
- Diversify and broaden ownership of land in Scotland, where more land is owned by fewer people than anywhere else in Europe;
- Encourage (or oblige legislatively) owners of land to give local communities a greater say in how land is managed and used;
- Make it easier and cheaper for Forestry Commission land and other land in public ownership to be transferred to others;
- Improve the supply and lower the price of land for affordable and other housing in both town and country;
- Help create new pathways, for younger people especially, into farming and crofting;
- Enhance the position of tenant farmers by giving them a right (similar to the right enjoyed by crofting tenants since 1976) to buy their farms;
- Replace Council Tax and Business Rates with a tax on land values;
- Change the way in which fresh water resources are owned and managed in order to secure wider community benefit from these resources;
- Change the law of succession as it affects ownership of land.

These examples are listed here to indicate the potential scope of our enquiries (and to encourage submissions under these and other headings) rather than as pointers to our thinking.

## Submitting evidence

To allow the Land Reform Review Group to explore and analyse evidence submitted to it and to enable the Group to identify key themes for further exploration, responses are invited by **11 January 2013**.

Where you have already made a relevant submission in connection with the Community Empowerment and Renewal Bill consultation, you may wish to refer to these responses in your LRRG submissions and indeed copy your responses – with additional comments as appropriate – to LRRG.

We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public. Please complete and return with your evidence submission the *Respondent Information Form* at Annex C – as this will ensure that we treat your response appropriately. If you ask for your response not to be published, we will regard it as confidential. All respondents should be aware that the Scottish Government are subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

At the end of the review process, and after the final report is published, we will publish your responses on the review web page, subject to any requests for anonymity. An example of the format of these published responses can be seen on the Independent Budget Review website ([www.independentbudgetreview.org](http://www.independentbudgetreview.org)).

As well as issuing this Call for Written Evidence, LRRG will be seeking evidence directly from a range of individuals and organisations the Group considers to have specific contributions to make to LRRG's work. Therefore, as indicated in the attached workplan (Annex B), the Land Reform Review Group will, in the course of its work, be meeting with, listening to and interviewing a number of people and organisations with particular experience of issues that are of interest to LRRG. Details will be available from time to time on the Group's website.

Electronic responses should be emailed to [landreformreview@scotland.gsi.gov.uk](mailto:landreformreview@scotland.gsi.gov.uk) and for those who do not have access to email, hard copies should be sent to:

Dave Thomson  
Land Reform Review Secretariat  
B1 Spur  
Saughton House  
Broomhouse Drive



Land Reform Review Group

Edinburgh  
EH11 3XD

Thank you for your interest and for your help.

Alison Elliot  
Sarah Skerratt  
James Hunter

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## Annex A

### LAND REFORM REVIEW GROUP - REMIT

The Scottish Government is committed to generating innovative and radical proposals on land reform that will contribute to the success of Scotland for future generations.

The relationship between the land and the people of Scotland is fundamental to the wellbeing, economic success, environmental sustainability and social justice of the country. The structure of land ownership is a defining factor in that relationship: it can facilitate and promote development, but it can also hinder it. In recent years, various approaches to land reform, not least the expansion of community ownership, have contributed positively to a more successful Scotland by assisting in the reduction of barriers to sustainable development, by strengthening communities and by giving them a greater stake in their future. The various strands of land reform that exist in Scotland provide a firm foundation for further developments.

The Government has therefore established a Land Reform Review Group.

The Group will identify how land reform will:

- Enable more people in rural and urban Scotland to have a stake in the ownership, governance, management and use of land, which will lead to a greater diversity of land ownership, and ownership types, in Scotland;
- Assist with the acquisition and management of land (and also land assets) by communities, to make stronger, more resilient, and independent communities which have an even greater stake in their development;
- Generate, support, promote, and deliver new relationships between land, people, economy and environment in Scotland;

In making these inquiries, the Group will bear in mind:

- the sustainability of its proposals for reform, including their economic impact;
- the importance of good stewardship and governance of land;
- the relationship between urban and rural concerns and opportunities;
- the relationship between local and national interests.

The Group will:

- be provided with a Secretariat;
- have access to Ministers, special advisers, and officials (including legal advisers) throughout the Scottish Government, including its agencies;
- commission independent research, as appropriate;
- agree, at the outset, a workplan with Ministers.

The Group will:

- seek representations from, and consult with, organisations (private, public and voluntary sector) and individuals with an involvement or interest in land ownership, farming, crofting, forestry, the natural heritage, social and affordable housing, planning, economic and community development, and with others as appropriate;
- draw on the advice of the Advisers appointed to it;
- make its own independent assessment of this advice and of the varying (and possibly conflicting) views put to it.

The Group will make:

- Interim Reports to Ministers on such improvements as the Group considers can readily and speedily be made to existing legislative and other means of bringing about land reform;
- a draft Final Report to Ministers by December 2013.

It is expected by the Government that the Group's Final Report will include:

- recommendations as to how, by legislative and other means, further land reform can be promoted and secured;
- an indicative analysis of the economic, social and environmental impact and sustainability of its proposals
- indication of how the impact of the recommendations on land reform might be measured, monitored and otherwise assessed.

## Annex B

### Biographies

#### **Dr Alison Elliot (Chair)**

Alison Elliot's work straddles the university, civil society and the church. Formerly a lecturer in psychology, she is currently an Honorary Fellow at New College, University of Edinburgh. In 2004 she became the first woman to be appointed Moderator of the General Assembly of the Church of Scotland. She is Convener of the Scottish Council for Voluntary Organisations and a Trustee of Community Service Volunteers. She was a member of the Commission on the Future Delivery of Public Services in Scotland and is involved in Government committees taking forward its proposals.

Alison lives in Edinburgh, was brought up in the Central Belt and had three crofting grandparents from Lewis and Sutherland. As Convener of the Church of Scotland's Church and Nation Committee, she presented a report on Land Reform to the General Assembly in 1998. She chaired the Scottish Land Reform Convention from 1998 to 2001. She welcomes the opportunity to revisit the issues surrounding the relationship between land and people in Scotland and looks forward to a fresh and constructive consideration of the subject.

#### **Prof Jim Hunter**

James Hunter CBE FRSE is Emeritus Professor of History at the University of the Highlands and Islands (UHI) where, between 2005 and 2010 he helped set up UHI's Centre for History. The author of twelve books on the Highlands and on the region's worldwide diaspora, James Hunter has also been active in the public life of the area. In the mid-1980s, he became the first director or chief executive of the Scottish Crofters Union, now the Scottish Crofting Federation. Later he served for six years as chairman of Highlands and Islands Enterprise, the north of Scotland's development agency. In the course of a varied career, James Hunter has also been an award-winning journalist. His latest book, *From the Low Tide of the Sea to the Highest Mountain Tops*, dealing with community ownership of land in the Highlands and Islands, was published in March 2012.

James Hunter, who was born and brought up in Duror, North Argyll, lives in Kirkhill near Inverness. He and his wife Evelyn have two children and three grandchildren. Welcoming his appointment to the Land Reform Review Group, James Hunter said: 'I'm delighted that the Scottish Government wish to bring about radical change in this

area of public policy. I've long believed that Scotland will be a better, more enterprising and less unequal place if we follow the lead of other European countries and ensure that many more people are entitled to be involved in the management, use and ownership of land.'

## **Dr Sarah Skerratt**

I am a Senior Researcher and Head of Rural Society Research at Scotland's Rural University College (SRUC). I have been researching processes of rural community resilience for the past 24 years, through projects with partners in Scotland, the UK more widely, and internationally. My particular areas of interest are in rural community leadership, processes of change, how resilience of rural communities can be increased, and the potential role of next generation broadband in all of these. I am also very interested in how policy is put together and how it is then experienced on the ground.

Central to all my research is impartiality and objectivity, and this is particularly important when researching issues that are complex, and which are important to many people, such as land ownership, governance and management.

I am Principal Investigator for the Scottish Government-commissioned five-year research programme: "Governance and Decision-Making for Community Empowerment" (2011-2016), which brings together 8 researchers from SRUC and James Hutton Institute, and examines how to enhance the vibrancy and resilience of Scotland's rural communities.

As well as being appointed as the Vice-Chair of the Land Reform Review Group, I am also a Member of the Committee of Inquiry of the Royal Society of Edinburgh into Digital Participation, and I am on the Board of the Rural Housing Service and the Solway Centre for Environment and Culture. I am on the Executive Group of the Crichton Institute in Dumfries, and an Associate Investigator on Aberdeen University's dot.rural research programme ([www.dotrural.ac.uk](http://www.dotrural.ac.uk)).

## **Advisors**

**Professor David Adams** – Ian Mactaggart Chair of Property & Urban Studies, University of Glasgow. Chartered Surveyor, chartered town planner, member Society of property Researchers, Regional Studies Association and the Royal Society of Arts. Research interests include State-market relations in land and property, with a particular interest in land, planning and regeneration policy. Published RICS report on "Discovering property policy: an examination of Scottish Executive policy and the property sector".

**Andrew Bruce-Wootton** - General Manager at Atholl Estates since 2000. Atholl Estates, which extends to some 126,000 acres of Perthshire, is the largest privately owned estate in Scotland. Formerly Assistant Factor, Buccleuch Estate (September 1993-April 2000). Director of Scottish Land and Estates (2008-2011). Deputy Chairman, Scottish Estates Business Group. Educated at Acadia University, Applied Science, Engineering (1984-87)

**Amanda Bryan** – Rural and Community Development consultant, specialising rural development and community development in the Highlands and Islands (trading as Aigas Associates). She was Chair of BBC Scotland's Scottish Rural Affairs and Agriculture Advisory Committee from 2001 to 2006 and a former Development Manager with Ross and Cromarty Enterprise. She was employed by SNH as the Minch project Officer 1993-1995. She has served on the North Areas Board of SNH since 1997 and was previously depute Chair of that Board. She is also a Director of Kilmorack Community Hall. She has participated in a report for the Community Woodlands Association on an evaluation of partnerships between community groups and Forestry Commission Scotland (May 2006). She has worked with Stòras Uibhist on community engagement, and with Sleat Community Trust to review the Trust's management structures. She is a Forum Member of Highland and the Islands Regional Forestry Forum. She is currently involved with the purchase of the Aigas Community Forest from Forestry Commission Scotland. In 2012, Amanda was appointed as Commissioner for Forestry Commission Scotland

**Ian Cooke** – Director of Development Trusts and Associations of Scotland (DTAS). DTAS promotes and supports development trusts - community led organisations who use enterprise activity and assets to regenerate their communities. He has been involved in community development for over 25 years, including posts as manager of the North Edinburgh Trust and the Pilton Partnership.

**Simon A. Fraser** – Solicitor at Anderson-MacArthur, Stornoway (now retiring). He has been accredited by the Law Society of Scotland as a specialist in crofting law. He has been a past Dean of the Western Isles Faculty of Solicitors. He has advised many community buyouts and has also advised and acted for private estates. He is currently the Interim Crofting Administrator for Urras Oighreachd Ghabhsainn. He is a former Board Member of SNH (1998-2004), and Chair of its North Areas Board. He has been Chair of the Isle of Eigg Heritage Trust, as a vice-chair of Urras nan Tursachan (the Callanish Standing Stones Trust). He has been a Lord Lieutenant for the Western Isles. He is a fluent Gaelic speaker with a lifelong interest in the social and natural history of the Western Highlands and Islands, and has a particular interest in rural development. He lives in the west of Lewis.

**Priscilla Gordon-Duff** - Manager of a family estate and holder of a first-class degree in anthropology and sociology. Mrs Gordon-Duff is responsible for the estate's planning, policy and management in partnership with her husband. The estate is involved in agriculture, forestry, property, commercial leases, fishing and community engagement. Chair of the National Forest Land Scheme Evaluation Panel since its establishment in 2005 (<http://www.drummuirestate.co.uk/>). She was chair of the Grampian Woodland Company and Forum, a board member of Paths for All, and was on the RSPB's Scotland committee. She is Chair of Drummuir 21, which is a local partnership working on sustainable development of the locality, including a community woodland, and has taken part in rural development study tours to Sweden and Norway.

**Dr David Miller** – Currently co-ordinates the land use theme of the Scottish Government Strategic Research Programmes 2011-2016. He leads areas of the James Hutton Institute's knowledge exchange programme, including the Virtual Landscape Theatre. He co-ordinates research and commercial projects relating to landscape and spatial modelling, including applications in renewable energy, urban greenspaces and wider land use planning. His research interest aims to better understand human uses, preferences and interpretation of land use and landscapes.

**Bob Reid** – Former Convenor of the National Access Forum. He was a former President of the Mountaineering Council of Scotland (1990-1994) and was its representative in the early days of the Forum, and through his work for Grampian Regional Council and then Aberdeen City Council, was the Convention of Scottish Local Authorities representative throughout the long run-in to the enactment of the Land Reform (Scotland) Act 2003 from 1995 to 2004. He has considerable experience of upland access work, along with knowledge of low ground access

issues from his local authority work and his interest in land management issues and stalking that have developed through his involvement in the NTS Mar Lodge Management Group. He has worked extensively with government and non-government organisations, business and politicians. He is a keen mountaineer, skier, sailor and naturalist

**Agnes Rennie MBE** – Lives with her family on her croft at South Galson on Lewis and is a native Gaelic speaker of long standing. She is Director of Acair, the Gaelic Book Publisher. She is retiring as a non-aligned Councillor at with Comhairle nan Eilean Siar. She was a former Area Commissioner for Lewis and Harris, and was appointed as a Crofting Commissioner in 1998. She has been a Chair of Iomairt nan Eilean Siar (Western Isles Enterprise). She is also Chair of Urras Oighreachd Ghabhsainn (UOG), which is the new community owner of the 56,000 acre Galson Estate. She was a member of the Committee of Inquiry on Crofting (Shucksmith).

**Dr Madhu Satsangi** – Senior Lecturer in Housing and Applied Social Science at the University of Stirling. Convenor of the Rural Housing Service which is much involved with rural communities across Scotland and has attracted John Swinney and Alex Neil, among others, to its annual conferences. Madhu Satsangi's doctoral thesis dealt with social aspects of rural housing provision and he is qualified in Environmental Science and Town and Regional Planning. He has researched into, and published widely on, rural housing associations, the role of private landowners in affordable housing, community land ownership and the impact of rural home ownership grants. His latest publication, written with Nick Gallent and Mark Bevan, is *The Rural Housing Question: Community and Planning in Britain's Countrysides*, Policy Press. He has two higher qualifications in French – the Diplôme de Langue Française and Diplôme Supérieur d'Etudes Françaises Modernes – and a working knowledge of Gaelic

**John Watt OBE** – Recently retired as Director, Strengthening Communities, Highlands and Islands enterprise (HIE). Involved in a number of high profile community buyouts of land in the last 20 years.