

Submission to Land Reform Review Group from Andy Inglis

Preface

Apologies for this submission not being formal and 'fully formed'. This is partly due to a lack of time, but mainly due to a lack of motivation on my part - that nagging feeling I've had that this Review, no matter how good your report is/recommendations are, will all lead to naught, or at least no meaningful change. If so, this will probably not be your fault. I have worked in the majority of the most corrupt (according to Transparency International) countries in the world over the past 25 years, and I still haven't witnessed such a well-orchestrated, well-connected and successful special interest/self interest pressure group/cartel as that of the (private and public) Scottish landowners!

1. I give the following observations and suggestion based on both my Scottish experiences (including being Coordinator of the Scottish Rural Development Forestry Programme 1993-97, and member of the Forestry Commission's 'Forests for People' Advisory Panel from 2000 to 2003) and international experiences (including being a Community Forest technician in west Africa in the 1980s, a UN (FAO) official, a UK Government (Department of International Development) Forestry Adviser and independent consultancy work in over 50 countries).
2. My main aim/vision is for the Scottish rural landownership pattern and landscape to become more 'Scandinavian'. In the first instance, with regard to forest land, to be more like Norway's. When I say landscape I mean with regard to increasing the visible occupancy (and livelihood activity) rates in forested rural areas. The main contrast I observed when working in Norway and Scotland is that almost everywhere I stopped the car in a forested area in Norway there were occupied houses/smallholdings and/or the sound of a chainsaw or some kind of forest-based economic activity.
3. The recently announced change in policy that enables 'local communities' to lease Forestry Commission in Scotland land for forestry purposes is a positive step forward, but is still behind the curve in terms of rural development/locally controlled forestry international best practice. It will not, I predict, produce the critical mass (land area wise) required to change the currently stifled rural development forestry dynamic: the political processes and bureaucracy involved in community buy-outs and leasing are a real deterrent and, crucially, always create the risk of 'elite capture' (the Forestry Commission have a very poor track record of preventing this (in fact often did the opposite!) - see my 1995 paper published by the Overseas Development Institute: "Rural Development Forestry in Scotland: the struggle to bring international principles and best practices to the Last Bastion of British colonial forestry."
www.odi.org.uk/sites/odi.org.uk/files/odi-assets/publications-opinion-files/1134.pdf.

4. So I would suggest that there should be a new, or an addition to this, programme: whereby a local small scale commercial entity can also qualify for Forestry Commission in Scotland land leasing (and buy-outs): i.e. a local small forest-based enterprise/company and/or cooperative. These locally based small forest enterprises may just be composed of 2 or 3 individuals, with an age limit (e.g. at least one of applicants is under 25) to apply for Forestry Commission in Scotland land on a (25-40 year) lease basis. Due diligence could include postcode and local school attendance records and 'means testing' (primarily to flush out local elites and existing landowners).
5. That's it, that's all I have to suggest: a local-SFE (small forest enterprise) - automatic (or at least minimum 'yes as default response') right-to-lease programme for local small commercial entities registered at Companies House or as a registered Cooperative.
6. I have consciously restricted myself to this suggestion/recommendation, i.e. for land held by the Forestry Commission in Scotland, because if the Scottish Government can't do anything new (I was going to say "innovative" but countries such as Ethiopia and Nepal are doing leasing to local SFEs/Forest User Groups/Cooperatives already) and affirmative with their own land and officials (*sic*), then what hope will we have to change things for the better on privately-owned land, especially where/when those holding title are such a well-connected political and economic elite cartel? But I would like, eventually, to see the same opportunities being made available to small local companies/cooperatives on under-utilised privately held land, in the first instance privately owned forests and then large sporting estates.
7. So first, in theory easier, things first: The Forestry Commission. The Forestry Commission in Scotland (I hesitate to call it the 'Forestry Commission Scotland' as the Forestry Commission wasn't/isn't, in my opinion, actually fully devolved despite it being in the first devolution White Paper to be a wholly devolved responsibility, as I wrote in 1999 in the UN's international forestry journal *Unasylva* ("Implications of devolution for participatory forestry in Scotland"
<http://www.fao.org/docrep/x3030e/x3030e0b.htm#implications%20of%20devolution%20for%20participatory%20forestry%20in%20scotland>)
8. Currently the Forestry Commission in Scotland's highest level governance entity is the GB Forestry Board of Commissioners, who are all (including the 'Scottish' Commissioners') recruited by DEFRA in conjunction with the UK, not Scottish, public appointments system. As it says on the Forestry Commission website: "*The Forestry Commission of Great Britain is the government department responsible for Britain's forests and woodlands.*" (This is an aside however, and not the direct concern of the Land Reform Review Group, I know. The point I'm making here is more of an advisory and cautionary one: while it should be easier for you to recommend and for the Scottish

Government to do innovative (for Scotland) things with public forest land first, the GB level governance of the Forestry Commission opens it up to lobbying activities outside of the Scottish Government's own lobbying procedures/channels and domain of influence.)

9. Although such a local-SFE-automatic-right-to-lease programme would bring local economic and other local benefits, this would not be an end in itself – but as a springboard to new small rural companies having the capacity and experience to take on the ownership and management of (at least parts of) large private estates, which I doubt you and the politicians you report to will have the power and/or nerve to adequately make inroads to this time around.

10. I have read that the Review Group has been visiting locations/initiatives in Scotland. I hope they also have been or are planning to go to Scandinavia: Norway for its forest based smallholding/livelihoods systems, and Finland for the large cooperatives of small forest owners and managers which supply the large Finnish forest industry.

January 2013