Community Engagement Obligations and draft large land holdings guidance under the Land Reform (Scotland) Act 2025 – Consultation paper

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Riaghaltas na h-Alba

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Background / Introduction

About this consultation

This consultation seeks your views to inform the development of secondary legislation and guidance to implement community engagement obligations introduced by the Land Reform (Scotland) Act 2025 ("the Act").

The Land Reform (Scotland) Act 2025

The Land Reform (Scotland) Bill was passed by the Scottish Parliament on 5 November 2025 and became an Act. It has two parts.

Part 1 introduces measures which will affect the owners of large land holdings. It does this by amending existing legislation, the Land Reform (Scotland) Act 2016 and the Land Reform (Scotland) Act 2003. For simplicity, in this consultation we refer to 'the Act' when talking about measures introduced through the Land Reform (Scotland) Act 2025.

The measures in Part 1 of the Act include:

- Community-engagement obligations, and
- when a landowner plans to transfer land (for example by selling it):
    - pre-notification of an intention to transfer land,
    - a requirement for Scottish Ministers to consider, if that land holding should be divided and sold in small pieces (lots).

Part 2 of the Act includes measures relating to small landholdings, agricultural holdings and a model lease for environmental purposes and for hutting.

There was a full public consultation for these measures as part of the Bill process and many people and organisations gave views as part of consultation and Parliamentary scrutiny. As far as possible we have taken those views into account in the proposals set out for this consultation.

Topics not included in this consultation

This consultation does not cover any measures in Part 2 of the Act.

It also does not cover pre-notification or the requirement for Scottish Ministers to decide whether a land holding should be lotted before it can be sold.

We intend to consult separately on these provisions.

An overall timescale for implementation of Part 1 of the Act is set out at Annex A accompanying this consultation.

Structure of this consultation

Respondents do not need to answer every question in the consultation. You may choose to respond only to the sections that are relevant to your interests or expertise.

Part 1: Community Engagement Obligations

This part seeks views on the regulations and guidance that will establish community-engagement obligations for owners of large land holdings.

This part is likely to be of particular interest to:

- community bodies and community organisations
- landowners and land managers
- tenant farming, crofting and rural stakeholder organisations
- local authorities
- environmental organisations
- public bodies with an interest in land use and community development
- anyone with an interest in how land is owned, managed and used.

Part 2: Large Land holdings

This part seeks views on draft guidance to support people in identifying whether land falls within the definition of a large land holding under the Act.

This part is likely to be of particular interest to:

- private, public and community landowners and land managers
- legal professionals
- land agents and professional advisers
- representative bodies for landowners

Next steps

We now need to set out more detail on some of the requirements for land management plans (LMPs) and the process for community bodies and landowners around requests to lease land or be constituted as crofting land. This will be through a mixture of regulations and guidance and this consultation seeks views on our approach to this.

Regulations will be part of the law and set out what must be done. Guidance can set out what should be done, but has flexibility in how it is applied.

This consultation gives everybody the opportunity to put forward their views on the overall approach. There will be a further consultation on a draft of the regulations, which we expect to be in autumn 2027. Additionally, we will work with stakeholders as we further develop these regulations and the accompanying guidance.

Part 1: The Community Engagement Obligations

About this part

The Act allows Scottish Ministers to make regulations establishing new community-engagement obligations ("the obligations") for owners of large land holdings.

The purpose of the obligations is to support engagement between landowners and local communities and improve transparency about how land is managed. The obligations must be informed by the Scottish Land Rights and Responsibilities Statement ("LRRS").

The Act requires the regulations to set out details on the following new obligations:

- Land management plans – landowners will need to engage with local communities and publish a plan setting out information about the large land holding
- Requests from community bodies – the landowner will need to consider reasonable requests to lease land or establish a croft.

Regulations will also need to set out when enforcement of these new obligations should start, and any grace periods when ownership of a large land holding changes.

This part of the consultation seeks views on the content of these regulations and the guidance that will support them.

It is made up of three sections:

- Land management plans (LMPs)
- Requirements to consider requests from community bodies
- Timescales for implementation and enforcement

Land Management Plans (LMPs)

About this section

This section seeks views on LMPs. The requirement to prepare and publish an LMP is a key part of the community-engagement obligations.

The purpose of LMPs is to promote engagement with communities about land. LMPs will promote engagement by facilitating engagement between landowners and communities and providing greater transparency of land ownership, management and use.

The Act establishes a framework for LMPs but leaves a number of matters to be set out in regulations and guidance. This section seeks views on those matters.

This section covers:

- who should be involved in the development of an LMP
- how engagement should take place
- what information an LMP should contain

- how plans should be reviewed and updated
- how plans should be published and presented

Requirements in the Act

The Act states that a large land holding must always be covered by an LMP. It requires that the LMP must be reviewed at least every 5 years (but can cover plans over a longer period).

The Act sets out that the following information must be included in an LMP:

- Details of the land covered by the land holding, including how the ownership of that land is structured,
- The landowner's long-term vision and objectives for managing the land, including any potential sale of some or all of the land holding,
- The steps the landowner has taken to engage with communities and tenants on the development of the LMP, and how that engagement has influenced the LMP,
- How the landowner is complying with (or intends to comply with):
    - the community-engagement obligations,
    - the Scottish Outdoor Access Code, and
    - the code of practice on deer management,
- How the landowner is managing, or plans to manage, the land covered by the land holding in a way that contributes towards:
    - meeting the national net-zero emissions targets,
    - adapting to climate change, and
    - increasing biodiversity,
- How the owner is having, or plans to have, regard to any local place plan[1] that is registered with the local planning authority and covers any part of the land holding.

LMPs will not exist in isolation and will be part of a network of plans related to the management and use of land. Some land holdings may already have other plans, such as Long Term Forest Plans, which contain information on access, climate change mitigation and adaptation, and biodiversity that may fulfil or partially fulfil requirements for LMPs. LMP requirements will aim to avoid the duplication of information already provided in other plans and the development of LMPs will consider how they fit within this wider network.

In addition to the further detail noted above, the regulations on community-engagement obligations also need to set out any additional information to be included in an LMP, and how information available elsewhere should be presented. This will be done through regulations on the community-engagement obligations and through guidance.

The Land and Communities Commissioner (LCC) will be responsible for enforcing the requirements for LMPs and will have a role in supporting compliance. There will also need to be separate guidance about how the regulations will be enforced. This guidance will be produced by the Scottish Land Commission.

[1] As defined in schedule 19 of the Town and Country Planning (Scotland) Act 1997

Engagement on LMPs

This section asks questions covering who should be engaged in developing an LMP, how this engagement should take place, and interactions with existing guidance on engagement.

Who should be engaged in the development of an LMP

The Act requires landowners to engage with communities and tenants, including any crofters and small landholders, on the development of the LMP and any significant changes to the plan.

It does not include a definition of 'communities' for the purposes of LMP engagement. This is different from the provisions relating to requests from community bodies which are limited to a 'community body', a term with a fixed legal definition.

We propose that the definition of 'communities' should be set out in guidance. This would provide flexibility and allow guidance to be updated more easily in response to experience and good practice.

The Scottish Land Commission's 'Community Engagement Protocol' defines "communities" as geographic communities. It also notes that in some cases, it can also include communities of interest.

Geographic communities are "individuals who live in a particular place", for example it could be those who live in a particular town, on a single street, or the inhabitants of an island.

Communities of interest are defined as "communities of people who are connected through a shared interest rather than by place". For example, in relation to land holdings this could include a group who uses the land for leisure purposes, such as a mountain biking group, or a group concerned with the preservation of historical sites.

Proposed definition of communities

We propose that the definition of communities should include the local geographic community. In this context, this would include people or organisations based within the locality of the area covered by the LMP. Some examples of stakeholders that would be included in this definition would be households living on or near the land, local representative groups such as community councils, development or housing trusts, and other place-based special interest groups or communities of interest.

We propose that 'communities of interest' should not be included in the definition of communities, unless they can demonstrate a regular and ongoing use of land on the land holding.

1. Do you agree with the proposal that the definition of 'communities' should be set out in guidance rather than in regulations?
    a) Yes

b) No
c) Not sure

Please give a reason for your response

2. Do you agree with the proposed definition of communities?
   a) Yes
   b) No
   c) Not sure

   Please give a reason for your response

What should community engagement involve?

The Act does not set out what would be considered sufficient engagement to meet community engagement requirements.

Landowners can be fined for not complying with the requirements. Therefore the regulations and guidance need to set out what landowners need to do to meet this duty.

During the development of the 2025 Act, there was consensus that engagement should be meaningful and not a tick-box exercise. This is supported by the LRRS principle that "there should be meaningful collaboration and community engagement in decisions about land"[2]. Early engagement creates more opportunity to develop outcomes and solutions that meet the needs of the landowner and local communities, supports collaborative engagement and minimises the risk of misunderstandings developing.

Community engagement should also be proportionate to the impact of decisions and adapted to the local context. For example, an island community may face greater barriers to accessing services and development opportunities compared to a community near a city. Decisions about land around the island community may have more significant consequences for the community's sustainability than similar decisions for a community near a city, who have may have greater access to opportunities and services. These communities will require different approaches to engagement to appropriately consider the community's needs.

We want this process to be proportionate. This means a balance will need to be struck in the regulations and guidance between providing certainty as to what constitutes compliance, and allowing flexibility for landowners and communities to engage in ways that best suit the circumstances.

The following questions seek views on what must happen (and so would be in the regulations) and should happen (and so would be covered by guidance) in the engagement process.

[2] Scottish Land Rights and Responsibility Statement 2022 (page on Scottish Government Website)

3. What steps, actions or activities must a landowner undertake to meaningfully engage with a local community on the development of their land holding's LMP? These would be included in the regulations.

4. What steps, actions or activities should a landowner undertake to meaningfully engage with a local community on the development of their land holding's LMP? These would be included in guidance.

5. Must a landowner undertake participatory engagement? For example, participatory engagement could include holding local meetings or carrying out workshops. This would be included in the regulations.
    a) Yes
    b) No

6. If you answered yes to the previous question, what should participatory engagement look like?

The following questions ask about potential challenges or barriers to engagement.

7. Are there any specific challenges or barriers to engagement between landowners and communities that may impact engagement on LMPs?

8. Are there any specific issues that should be considered in the approach to engaging with island communities?

Following engagement, landowners must set out what steps they have taken to engage with communities and tenants. It is also good practice for landowners to share feedback on how views have been considered in decision-making.

9. How should the landowner share feedback on how views shared by the community have been considered in decision-making?

Relationship to existing guidance on engagement

There is existing guidance on good practice for engaging with communities, including the "Guidance on Engaging Communities in Decisions Relating to Land" ("the 2016 Act Guidance") which is required to be published by the Scottish Government and reviewed on a 5-yearly basis by the Land Reform (Scotland) Act 2016 ("the 2016 Act").

During the passage of the Bill, there were calls to make it clear how the regulations and guidance for the community-engagement obligations related to other existing guidance, including the guidance published under the 2016 Act.

The 2016 Act Guidance was reviewed in March 2026 and recommended changes should be made to a future iteration of the 2016 Act Guidance. The 2016 Act Guidance does not replace statutory requirements for community engagement where these exist, and it will not replace the requirements for engagement on LMPs. The timeline for the development of the regulations and guidance for LMPs, and the recent review of the 2016 Act Guidance, provides an opportunity to consider how

these can inform and interact with one another, to avoid duplication, and provide clarity on when and how these different pieces of guidance should be used.

10. How should the guidance for engagement on LMPs interact with the 2016 Act Guidance on engaging communities in decisions relating to land? What clarity is required?

11. Is there any other regularly-updated guidance on engagement with communities that should be considered when developing requirements to engage on LMPs?

Flexibility in the land covered by an LMP

This section asks questions about the land that may be covered by an LMP and whether there should be limits on the use of shared or combined plans.

The Act requires that there is a publicly available LMP in relation to land that is a large land holding.

We consider that landowners should have flexibility on the land included in individual LMPs, provided that the approach is clear and supports meaningful community engagement.

For example, landowners may choose to:

- prepare a single LMP covering one large land holding;
- prepare separate LMPs for different parts of the same large land holding;
- prepare a single LMP covering multiple large land holdings;
- prepare a collaborative LMP covering land owned or managed by multiple owners;
- include land that is not part of a large land holding in an LMP if they wish to do so.

This flexibility may be useful where land is managed under a collaborative approach, where part of a large land holding is covered by another plan requirement (such as a long-term forest plan), or where land is part of more than one large land holding.

Regardless of how LMPs are organised, it should be clear:

- what land is covered by each plan;
- which landowners are responsible for the plan;
- how the plan relates to any large land holding subject to the requirements of the Act; and
- how local communities can engage on matters affecting land in their area.
- how the plans collectively ensure that all land forming part of a large land holding is covered by an LMP.

12. Do you agree that landowners should have flexibility on what land is included in an LMP as proposed above?
    a) Yes
    b) No
    c) Not sure

Please give a reason for your response

We are also considering whether guidance or regulations should place some limits on when multiple large land holdings can be covered by a single LMP.

For example, it may not be appropriate for a single LMP to cover land holdings that are geographically distant from one another, relate to different local communities, or have very different management objectives. Such arrangements could make it more difficult for communities to understand how the plan relates to the land in their area and how they can participate in engagement.

13. Do you think there should be limits on when multiple large land holdings can be included within a single LMP?
    a) Yes
    b) No
    c) Not sure

14. What factors should be taken into account when determining whether multiple large land holdings can appropriately be covered by a single LMP?

Required content of LMPs

The questions below focus on how the requirements for LMPs that are set out in the Act should be met.

Ownership information

The Act requires a landowner to provide "details of the land to which the plan relates, including how the ownership is structured".

As set out above, an LMP does not necessarily need to correspond exactly to a single large land holding. The LMP should clearly identify the land that it covers and explain the ownership arrangements for that land.

15. Should the owner be required to provide the name or names of the persons or entities (such as a company) that own the land?
    a) Yes
    b) No

    Please provide a reason for your response.

If the land is owned by a non-natural person (i.e. a corporation, trust or other entity) or the registered owner is not up to date, Companies House or the Register of Persons Holding a Controlled Interest in Land ("RCI")[3] may hold information on who

[3] RCI records people and organisations that own land (or have a lease of over 20 years) in Scotland and there is someone else who has significant influence or control over their decisions about that land.

has significant influence or control over the registered owner. This information is publicly accessible and held online.

16. Where the land is owned by a non-natural person, or the registered owner is not up to date, should the landowner be required to provide a link to any information held by Companies House or entries in the RCI in relation to the registered landowner?
    a) Yes
    b) No

    Please provide a reason for your response.

Contact details for a person who is responsible for the management of the land holding (but not necessarily the landowner) could provide a route for engagement between communities and the landowner, and provide a point of contact when needed.

17. Should the LMP include contact details for a person who is responsible for the management of the land holding?
    a) Yes
    b) No

    Please provide a reason for your response.

Details of the land

18. Should the landowner have to provide a map of the land holding (or maps, for example where the plan covers multiple land holdings)?
    a) Yes
    b) No

Please provide a reason for your response.

If the landowner is required to provide a map, then regulations could determine the minimum quality or standard of that map. The quality or standard of the map would affect how accessible, detailed and spatially accurate the map would be.

The regulations could require that a map is prepared to the same standard as is used for land registration in the Land Register of Scotland[4]. This could support completion of the land register, if the land was not already registered the landowner would then have a starting point should they wish to proceed with the voluntary registration process, supporting greater transparency of land ownership.

The land register records the ownership of land in Scotland and allows anyone to search and view the boundaries of a property in the map-based register. Land and property is registered in the land register when there is a transfer of the land or property, or the landowner voluntarily registers their land or property which is held on

[4] Deed plan criteria guidance (Registers of Scotland Knowledge Base website)

the older non-map based property register - the sasine register. Consequently, not all land and property in Scotland is on the map-based land register yet.

If a landowner has already registered all of their land holding on the land register, then they will be able to acquire maps of their land holding to land register standard. Landowners that have not registered their land holding or have only registered parts of their land holding on the land register would need to prepare a map.

19. Should the map provided for an LMP be of the same quality required for registration on the land register?
    c) Yes
    d) No

    Please provide a reason for your response.

There are other options for maps which could require less work to prepare. Different mapping requirements include requirements used for community right to buy applications and long-term forest plans. There are some common requirements for different types of maps:

- clearly identified boundaries of land
- using recognised map scales, such as those used by Ordnance Survey, as a basis for the maps.

20. Should maps be prepared to scale corresponding to a scale used by recognised maps such as Ordnance Survey maps?
    a) Yes
    b) No
    c) Not sure

    Please provide a reason for your response.

21. What is important to include in requirements for a map to make it accessible, so that people can understand the map?

Information about the management of the land holding could be presented on the map, where appropriate, or provided alongside the map. This could include information about the principal land uses, or where there are rights over land.

22. What information should be included on a map and why?

Information about tenanted land

Where landowners have leased the land to tenants (including croft land), landowners may have reduced or no management control. Consequently the landowner may not know certain information related to that land. Tenants, including crofters, are not required by the Act to share information with the landowner. Therefore, landowners will not be required to share information on tenanted or crofted land which relates to the use of land. However, we intend for guidance to encourage the sharing of information where it is possible and relationships allow.

23. Do you agree with our proposed approach to tenanted land?
    a) Yes
    b) No

Guidance encouraging the sharing of information about tenanted or croft land would need to be proportionate. For example, it may be helpful to encourage the sharing of information about who holds a tenancy or croft, to support engagement.

24. What information should landowners be encouraged to share about tenanted and/or croft land and why?

Showing compliance with Scottish Outdoor Access Code

The Act requires the landowner to set out in their LMP how they are complying with or intend to comply with the Scottish Outdoor Access Code.

25. What information should a landowner provide to demonstrate how they are complying or intend to comply with the Scottish Outdoor Access Code?

Showing compliance with code of practice on deer management

The Act also requires the landowner to set out in their LMP how they are complying with or intend to comply with the code of practice on deer management. Where a land holding has a formal Deer Management Plan this could help fulfil this requirement and be linked to in the LMP.

26. What information should a landowner provide to demonstrate how they are complying, or intend to comply, with the code of practice on deer management?

27. Is there any other information which would not be included in a deer management plan which should be included in the LMP to meet the requirement to set out how the landowner is complying, or intends to comply, with the code of practice on deer management?

Emissions, Climate Change and Biodiversity Information

Landowners will also be required to set out in their LMP how they are managing or intend to manage the land in a way that contributes towards:

- achieving the net-zero emissions target[5],
- adapting to climate change, and
- increasing biodiversity.

28. What information should a landowner set out to demonstrate that they are managing, or plan to manage, the land in a way that contributes towards meeting the national net-zero emissions targets?

[5] As set by section A1 of the Climate Change (Scotland) Act 2009. The net-zero emissions target year is 2045.

29. What information should a landowner set out to demonstrate that they are managing, or plan to manage, the land in a way that contributes towards adapting to climate change? For example, to support the prevention of wildfires, manage potential flood risk, or restore peatland.

30. What information should a landowner set out to demonstrate that they are managing, or plan to manage, the land in a way that contributes towards increasing biodiversity[6]?

Additional content for Land Management Plans

This section asks questions about what (if any) additional information should be required to be included in LMPs, in addition to those set out in the Act.

The purpose of LMPs is to promote engagement with local communities. Any additional information required should support this purpose. LMPs will also increase transparency of land ownership and management and collect certain information about land holdings in scope, but this is not their primary purpose.

The content of LMPs needs to be proportionate, providing the information needed to promote community engagement while considering the impact on the landowner of collating and presenting that information. We need to carefully consider which topics should be included in LMPs and have a clear reason for including them. The availability of information elsewhere and existing requirements for engagement and planning, such as Long-Term Forest Plans, will also need to be considered.

The regulations will set out information which must be included in LMPs, alongside any requirements that a landowner must meet for how that information is presented. Guidance can set out further detail to support landowners to gather and provide that information, but it would be for the landowner to decide if they should follow that guidance.

During the development of the Bill, a range of views were expressed from stakeholders on what should and shouldn't be included in an LMP. Suggestions of what should be in an LMP included:

- Plans for the management of natural capital. Natural capital is a term for the habitats and ecosystems that provide social, environmental and economic benefits to humans, such as forestry or peatland.

- Information related to biodiversity and nature restoration. LMPs already require owners to set out how they are managing, or intend to manage, the land in a way that contributes towards increasing biodiversity.

- Information about the ownership and management of land to inform and support responses to wildfire outbreaks and the management of wildfire risk.

[6] Biodiversity is the diversity of species, genetic variations within species, and ecosystems. Our economy, jobs, health and wellbeing depend on it and it plays a vital role addressing and mitigating the impact of climate change.

- How the landowner's plans contribute to community wealth building. Community wealth building is a type of economic development that aims to enable local communities and people to own, have a greater stake in, access, and benefit from the wealth our economy generates.

- How the landowner's plans support community sustainability and development, for example through supporting provision of housing to meet local needs, space for businesses, or employment opportunities.

- How the management of the land aligns with human rights (including economic, social and cultural rights).

- The socio-economic and environmental impacts of the LMP.

- If the land holding is receiving any public funding or subsidies in relation to the management of the land (for example, funding for forestry, peatland restoration or agricultural payments).

These were suggestions, but there may be other information which has not been previously suggested which should also be considered. These could include:

- How the landowner is managing the land in a way that meets the principles of the Scottish Land Rights and Responsibilities Statement.

- Where all or part of the land holding is within a National Park, how the management of the land has regard to the National Park Partnership Plan[7].

- Links to or a note of other plans relevant to land management that cover at least part of the land holding. For example, this could include regional land use partnership plans or river basin management plans.

LMPs are intended to provide high-level information about the planned management of the land holding. The level of detail on each of the proposed topics should be proportionate to the community's interest raised through engagement. In any case, LMPs would not be expected to include detailed, technical management information about a land holding such as would be required for a business case or grant scheme. Their purpose is to promote community engagement and understanding.

31. Which information (which is not already required by the Act) should be required to be included in an LMP and why?

32. Please provide any views or evidence on how this information could be collected by landowners, where that would be required.

[7] National Park Partnership Plans are 5-year plans which set out the vision and strategy for the management of the National Park and how work will be coordinated to deliver the aims of the National Park. The current National Park Partnership Plans are linked below:

- Cairngorms National Park
- Loch Lomond and the Trossachs National Park

33. If you had to choose the most important 5 pieces of information required to be included in an LMP (in addition to the existing requirements), what would they be?

34. Should there be any specific requirements for LMPs for land holdings that cover all or part of an inhabited island[8]?

The guidance for LMPs could also set out topics which are not required to be included by the regulations but could be included in LMPs to promote best practice.

35. Which information do you think the guidance should suggest is included as best practice and why?

Cases where information might not need to be included in LMPs

This section asks questions about situations where certain information may not be required in an LMP, either because it is already available somewhere else, or because disclosure could have negative impacts.

Duplication of Information

There are existing sources of information which already provide information for some land holdings that may be required by LMPs. These include:

- Long-term forest plans
- Woodland Carbon Code Project Design Documents
- Peatland Code plans
- National Park Partnership Plans
- Deer Management Plans

To avoid unnecessary duplication of information, LMPs could reference suitable plans that provide the required information. This could be a hyperlink to a plan.

36. Do you agree with the approach of allowing LMPs to link to other plans that provide the required information?
    a) Yes
    b) No

37. If you answered “No”, how would you propose to limit duplication of information?

38. The list of existing sources of information above does not include all possible sources. Are there any other publicly available sources of information about land holdings which we should consider?

Other information not required in LMPs

There may be circumstances where inclusion of information in an LMP would not be appropriate, or engagement needs to be limited. This may include land relating to

[8] As defined by section 1 of the Islands (Scotland) Act 2018

Critical National Infrastructure or land used for defence purposes, where disclosure of information could have implications for national security, national defence, the delivery of essential services, or the functioning of the state.

The Act notes that LMP obligations do not need to be imposed in connection to all of a 'large land holding', allowing for exemptions from compliance to be created. Regulations and guidance would set out these circumstances and exemptions from the obligations, where appropriate.

39. Are there any other reasons that certain areas of land should be exempt from LMP requirements such as on engagement or providing other information?

Requirements to update Land Management Plans

This section asks questions about what requirements there should be for plans to be updated, either because there has been a significant change, or because of a review.

Significant change
The Act requires community engagement to be undertaken when an LMP is subject to a significant change. The Act does not define what constitutes a significant change.

Guidance can set out when engagement would be expected following changes to an LMP. This would reflect the likely effects of the change and if it has a significant impact on the local community and take into account existing guidance such as the Guidance on Engaging Communities in Decisions Relating to Land published under the Land Reform (Scotland) Act 2016, and related Scottish Land Commission protocol.

The guidance for LMPs could explain that, in considering whether a change is significant, regard should be had to whether the proposed change is likely to have a significant impact on the local community. We are not proposing an exhaustive list of what significant means. The guidance will include factors that the landowner must assess to then make a decision as to whether it is a significant change.

Some illustrative examples could be:

- a substantial change in the primary use of land (for example when the primary land use changes from agricultural to forestry);
- significant changes to public access arrangements;
- a significant change to the extent of the land holding (e.g. if purchased by a new landowner and is now connected to further land holdings).
- proposals for new infrastructure or developments which may affect local communities (for example housing, land to a build new village hall);
- changes affecting community use of land or facilities,
- other changes that are likely to have substantial social, economic, environmental or cultural impacts at a local level (for example job creation, large scale environmental projects).

We intend that routine updates, factual corrections and minor operational changes would not normally be regarded as significant changes requiring further engagement.

40. Are there particular types of change that you view should normally be regarded as significant and trigger further community engagement?

41. Are there particular types of change that you view should normally be regarded as minor and not require further community engagement?

42. Do you agree that further detail on what constitutes a “significant change” to an LMP should be provided through guidance rather than through a definition in regulations?
    a) Yes
    b) No
    c) Don’t know

    Please explain your answer

43. Do you agree that guidance should explain that a change to an LMP is likely to be significant where it is likely to have a significant impact on the local community, taking account of the approach set out in the Guidance on Engaging Communities in Decisions Relating to Land?
    a) Yes
    b) No
    c) Don’t know

    Please explain your answer

Reviews of LMPs

The Act requires landowners to review their LMP(s), and if necessary revise their LMP, within 5 years of the date that the latest version of the LMP was made publicly available.

Beyond that, the landowner can choose the length of time that the LMP lasts which could be a different number of years. For example, a landowner may choose an LMP that covers a longer period such as 10 or 15 years. They could prepare an LMP for that period, but would still be required to review it within each 5 year period of the date the latest version of the LMP was made available. A review of an LMP would not automatically trigger requirements for associated plans, such as Long Term Forest Plans, to also be reviewed and would not impact the required timescales for reviews of those plans.

The regulations and guidance can provide more information on how landowners could or should conduct a review of their LMP.

44. What should landowners consider when they review their LMP?

45. Should landowners engage with the community as part of their review, and why?

46. If landowners do not need or plan to revise their LMP following a review, should they need to produce a statement or short report of the review?

Publication and presentation of Land Management Plans

This section includes questions on how LMPs should be published, and the extent to which there should be strict requirements on how they are set out.

Publication of LMPs

Regulations and guidance need to set out how LMPs should be made publicly available.

LMPs need to be accessible to local communities. Making LMPs available online would provide the most accessible option, given that over 90% of Scottish households have internet access.[9] There was support during the development of the Act for LMPs to be available online in a single location and set out in an accessible format, to make them easy to understand. We expect a single website to be used, hosted by a public sector organisation. There would be costs to the public sector to host the LMPs on a single website.

47. In what other ways should the landowner be required to make an LMP available, beyond a public sector hosted website? For example, make a copy available by email on request; share with the local authority; host on their own website where available.

As noted above, the portal would be at a cost to the public sector. To help fund the portal, it may be necessary to charge an administrative fee. This could be charged to landowners submitting plans and/or users accessing plans.

48. Should an administrative fee be charged for (you can select more than one answer):

1. People viewing LMPs on a single website
2. Landowners submitting an LMP
3. None of the above

Presentation of Land Management Plans

There are currently no requirements for how LMPs should be set out.

During the development of the Act, many stakeholders supported providing a template for LMPs as part of guidance. Landowners would not be required to follow this template, but could choose to use all or parts of it. The guidance would provide support for landowners preparing an LMP while still allowing flexibility for LMPs to be presented in the way that is most appropriate for individual land holdings.

[9] Scottish Household Survey 2023 results (Scottish Government website)

We do not intend that LMPs must follow a format set out in regulations. Instead we will set out what information must be included in the LMP (via regulations) and what should be included (via guidance). This will allow landowners to tailor the format and settings of their LMP(s) to individual needs and circumstances.

49. Do you have any comments on this proposed approach?

Community Engagement Obligations: Requirements to consider requests from community bodies

What is covered in this section

Regulations and guidance will need to set out further detail on requirements for landowners to consider a reasonable request from a community body to:

- lease land or any part of it (including any building on it).
- constitute any part of the land as a croft(s).

As with the LMP requirements, these apply to large land holdings.

This section seeks views on some of the definitions and processes that will be used to support those policies. In particular, we are welcoming views on whether these should be in the regulations or in supplementary guidance. To avoid repetition, the questions and proposals below apply both to community body requests to lease land or buildings and constitute the land as a croft(s).

It includes questions focused on:

- making an application
- considering an application
- further steps after a landowner has responded
- whether there should be any differences in the approach to crofting requests

Making an application

We want to make sure everyone is clear what a community body should provide to meet the standard of a ‘reasonable request’. There are two approaches we could take:

1) The regulations could set out only that there must be a reasonable request and the guidance would say what information should be provided.
2) The regulations could set out some information that must be provided to make it a reasonable request, with further recommended information in guidance.

Some examples of the type of information that could be needed for a ‘reasonable request’ are listed below – however this is just an example and we would welcome views on other items that could be included. We think ‘reasonable’ should mean balancing a minimum standard to ensure requests are meaningful and not vexatious but also not burdensome for community bodies or acting as a disincentive.

- Details of the community body, including their Scottish Charity register number, if appropriate, and/ or confirmation letter showing that they are a community body as defined in section 34 of the 2003 Act.
- The address of the community body and preferred point of contact,
- The community body’s proximity or relationship to the large land holding,
- Clearly identifying the land or building which they are interested in leasing or having constituted as a croft(s), for example by including a map of the identified area,

- A brief description of what the community body intends to use the land or building for and how this use meets local needs and aspirations,
- How long they desire to lease the land or building for.

50. What information, if any, should a community body be legally required to include?

51. What other information could be helpful and should be included in the guidance?

Considering an application

Community bodies will want to be confident that their request will be considered and landowners will want to make sure they have met their legal duties to consider a request.

We have set out a summary of the process followed by some more detail and individual questions on each part. In summary, we expect the overall process to be:

Step 1 – the landowner considers if the request from the community body meets the criteria for a reasonable request
Step 2 – the landowner acknowledges the request within a certain timescale
Step 3 – the landowner gives due consideration to the request
Step 4 – the landowner responds to the request within a certain timescale
Step 5 – the community body can ask further questions if needed.

As noted at step 1 above, the landowner may want to consider if the request meets the criteria for a reasonable request. If it does meet the criteria, they must then consider it.

52. Should there be any legally required process or guidance setting out what the landowner must do if the request does not meet the criteria set out?
    a) Yes
    b) No

53. What should the process be and what should be covered in the guidance to support this?

It is reasonable to expect that the community body does not have to wait a long time to have their request considered, but at the same time, the landowner may need time to consider various factors before responding.

54. Should there be a maximum timescale for confirming receipt of a request and that is meets the reasonable request criteria?
    a) Yes
    b) No

55. What should that timescale be?

56. Should there be a maximum timescale for responding to a reasonable request?
    a) Yes
    b) No

57. What should that timescale be?

58. Should meeting these timescales be legally required in the regulations or should it be in guidance instead? If they are legally required, they can be enforced.
    a) Regulations
    b) Guidance

The response from the landowner to the community body will be an important part of the process. It will either let the community body know that the request has been accepted and next steps, or it will let the community body know that it has been considered and either needs to be amended for further consideration or has been declined.

The landowner must give consideration to the request. Some steps could be included in the regulations, and these would be steps that the landowner must follow and which could be subject to enforcement. Other steps could be included in the guidance which means they are recommended and should be followed, but would allow more flexibility to suit different circumstances.

Some examples of the type of information that could be included in the landowners response are listed below – however this is just an example and we would welcome views on other items that could be included.

- Acknowledging receipt of the request,
- Setting out the reason(s) why they have chosen to a) agree to the request or b) disagree to the request.
- If they are refusing the request for a reason such as not holding specific property rights, existing legal obligations or because the land is leased by someone else.
- Any further information, changes to the request or alternative proposals that could lead to an outcome acceptable to both parties.
- Setting out how this decision aligns with relevant parts of an LMP
- Setting out how this decision aligns with relevant parts of a Local Place Plan or Community Action Plan.
- Confirming key points of contact for future communication.

59. What information, if any, should the landowner be legally required to include in a response to show how they have given consideration to the request?

60. What other information could be helpful and be included in the guidance?

Further steps

If the request is accepted, the community body may want reassurance on the timescales for when they will have access to the land or building and to help them understand the next steps.

61. Should there be any further process or requirements set out in the regulations or guidance if the request is accepted?
    a) Yes
    b) No
    Please explain your answer.

62. Should there be any process after a refusal, either in regulations or guidance, such as an option to ask follow up questions, or any other process after a refusal?
    a) Yes
    b) No
    Please explain your answer.

63. Our view is that there should be a limit to the number of times that community bodies can make a reasonable request for a specific piece of land to an individual landowner. What should this limit be?

Although we have sought to cover the main likely steps and process related to the requests, you may have examples of other similar processes or have suggestions of additional steps that could either be legally required or in the guidance.

64. Are there any other steps or processes that should be legally required for either the community body, the landowner or any other party (for example, an organisation who could consider appeals)?

65. Is there anything else that it will be important for the guidance to include?

Crofting requests

Landowners themselves cannot constitute land as a croft. They may however apply to the Crofting Commission to have land constituted as a croft, provided that it is within the crofting counties, or within an area which is designated by Scottish Ministers for this purpose. This section of the obligations means that community bodies may ask the landowner to consider applying to have land constituted as a croft(s).

This section, in the same way as the obligation to buy and lease land above, is also restricted to “community bodies”[10].

[10] This means both:
a) Community bodies (defined in section 34 of the Land Reform (Scotland) Act 2003) – i.e. those which are eligible to apply for community rights to buy land
b) Crofting community bodies (defined in section 71 of the Land Reform (Scotland) Act 2003) – i.e. those which are eligible to apply for community rights to buy croft land

The regulations will set out that the duty to consider a request to apply to constitute land as a croft(s) will only apply to land in the crofting counties or designated areas.

66. Please set out below if you think there should be any other differences between requests to lease land or a building and requests to constitute the land as a croft(s).

Timescales for implementation and enforcement

What is covered in this section

The Act creates the role of the LCC who will be a member of the Scottish Land Commission.

The LCC will be responsible for the enforcement of the community-engagement obligations and supporting compliance.

This section asks questions about timescales for implementation and enforcement.

Grace Period Before Enforcement Begins

Landowners impacted by the community-engagement obligations will need time to take steps to ensure they are compliant with the obligations once the Scottish Parliament has agreed the detail of the regulations.

Once the grace period ends, the enforcement measures would come into effect.

When considering the length of the grace period, we need to consider the steps those who must comply with the obligations need to take. For landowners, the most significant steps are likely to be:

- establishing if their land holding is in scope of the obligations, if they have not already done so, and
- preparing and engaging on the development of their LMP and making it publicly available.
- Establishing how people should make lease or croft applications

The grace period needs to balance allowing time for landowners to take the necessary steps to become compliant with obligations, with the impact on communities of delaying the enforcement of the requirements.

67. How long should the grace period be?
    a) 6 months
    b) 12 months
    c) 18 months
    d) 24 months

    Please explain your answer.

Phased implementation

Research has found that around 1100 land holdings[11] are expected to need to comply with the community-engagement obligations, and therefore require an LMP. This may not mean that there are 1100 LMPs as some landowners may choose to have one LMP to cover multiple large land holdings, or more than one LMP for a

[11] Characteristics of Large-scale landholdings (Storymap published by James Hutton Institute)

large land holding. However there would be a significant number of LMPs needing to be produced within a grace period.

One option would be for all land holdings to become subject to enforcement at the same time.

Another option would be to phase implementation, so that different groups of land holding become subject to enforcement at different times.

A phased approach could help spread over a longer period:

- preparation of LMPs
- community engagement activities
- demand for advice and support to the LCC
- subsequent review of LMPs.

This could reduce pressure on landowners, communities, the Scottish Land Commission and other organisations supporting implementation. However, it would mean that some communities would wait longer before the duties applied fully.

68. Should implementation be phased for different groups of land holding?
    a) Yes
    b) No
    c) No view

69. (If yes) Which approach would you prefer?
    a) Larger land holdings should become subject to enforcement first
    b) Smaller land holdings should become subject to enforcement first
    c) Implementation should be phased but not based, or not based solely, on land holding size (for example, it could be based on a geographical basis, with certain areas becoming subject to enforcement earlier than others)
    d) Other
    e) No view

Please explain your answer.

Transition of Ownership Arrangements

The grace period will only apply for a limited period after the regulations are agreed, to allow time for all landowners with land subject to the obligations to take steps to become compliant.

There are two other situations however, where a landowner may need time (a transition period) to ensure they are compliant with the obligations:

- When the ownership of a large land holding transfers to a new owner, or
- when someone buys land that when added together with other land they (or connected persons) own, becomes part of a large land holding.

In both situations, there will be a new person responsible for complying with the obligations for that land. However, after ownership transfers, the new owners may need a period of time to comply with these obligations. The regulations and guidance will need to set out how long this period of time is.

Transition Period

The regulations could set out a transition period. The transition period would begin on the date the landowner becomes the registered owner of the land in the land register (known as the date of registration) and during that period the obligations could not be enforced in respect of that land holding.

This would mean that if a new landowner wanted to make changes that required a new LMP or it was around five years since the last LMP was published, it would give the new landowner time to develop and engage on a new LMP and make it publicly available.

70. How long should the transition period be?
    a) 6 months
    b) 12 months
    c) 18 months
    d) 24 months

Please explain your answer

Part 2: Large Land holdings

If a person or an organisation owns a large land holding they will need to follow new legal duties in the Land Reform (Scotland) Act 2025.

'Check if you have a large land holding' draft guidance

These new legal duties will only be imposed on owners of large land holdings, therefore people and organisations will need to be able to understand if they have a large land holding.

A copy of draft guidance accompanies this consultation document

Once you read that guidance please answer these questions:

71. Now you have read the guidance, how confident are you that you would know how to identify a large land holding?
    a) Extremely confident
    b) Very confident
    c) Moderately confident
    d) Slightly confident
    e) Not at all confident

    Please explain your answer. In particular, we welcome any comments you have on the clarity of the guidance.

72. Do you have any comments on the examples used in the guidance?

Complex ownership patterns

The draft guidance is intended to help most people determine whether they may have a large land holding and cannot cover every possible scenario. Some people may need professional advice (from a lawyer or land agent) when ownership structures are complicated.

73. Are there any land ownership or control arrangements that are not currently covered in the guidance that you think should be included?

Definitions in the Act

The draft guidance is based on the legal definitions set out in the Act and can be updated by regulations. We don't intend to make updates to these definitions other than minor updates to take into account recent changes to UK company law[12].

74. Do you have any comments on the definition of a large land holding in the Act?

Overlapping holdings

[12] Changes at a glance - Changes to UK company law Companies House changes

The guidance says that sometimes complicated patterns of ownership within an area could result in several overlapping large land holdings. This is where some land is included in more than one large land holding because the owner has connections to multiple people or organisations owning nearby land, and those people are not connected to each other. Example E in the guidance focuses on this.

75. Do you have any views on further guidance or support that could be helpful in relation to overlapping large land holdings?

Annex A

Outline timetable

We have provided an outline timetable below on implementing Part 1 of the Act. This gives an indication of when we expect to undertake future consultations; to lay regulations in Parliament; and for the regulations to come into force. These are indicative only, and subject to change, and also dependent on Parliamentary agreement.

Decisions on the form and extent of future consultations will be taken in due course. Work is progressing towards appointment of the Land and Communities Commissioner in spring 2027.

Community-Engagement Obligations (including land management plans)	**Pre-notification and transfer test (lotting)**
Winter 2027-28 – further consultation on the community-engagement obligations	
	Spring 2028 – consultation on pre-notification and transfer test
Winter 2028-29 – lay regulations and publish guidance on community-engagement obligations	
Spring 2029 – CEO regulations come into force, if agreed to by Parliament LMP Portal live Enforcement grace period begins (see note below)	
	Summer 2029 – lay regulations for pre-notification and transfer test Guidance published
	Autumn 2030 – Pre-notification and transfer test regulations come into force, if agreed to by Parliament (see note below)

Note - For the Community-Engagement obligations we are proposing that these come into force soon after laying but that there is a grace period before enforcement. Questions on the length of this grace period and how it should apply are included in this consultation, which is why a date is not included in this timetable.

For pre-notification and transfer test we are proposing that there is around a year between regulations being laid and the new requirements coming into force. This is to ensure that people selling land have adequate notice and enough detail to ensure that land sales are compliant. It also allows for land management plans to be in place ahead of any lotting decisions.

Responding to this consultation

Please respond to this consultation using the Scottish Government's consultation hub, Citizen Space. You can access and respond to this consultation online at Community Engagement Obligations consultation page on Citizenspace

You can save and return to your responses while the consultation is still open. Please ensure that consultation responses are submitted before the closing date.

If you are unable to respond using our consultation hub, please complete and send the Respondent Information Form to:

by email: LRAct2025Implementation@gov.scot

or

by post:

Land Reform Unit
Scottish Government
Area 3 J South
Victoria Quay
EH6 6QQ

Handling your response

If you respond using the consultation hub, you will be directed to the About You page before submitting your response. Please indicate how you wish your response to be handled and, in particular, whether you are content for your response to published. If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

If you are unable to respond via Citizen Space, please complete and return the Respondent Information Form provided alongside this document.

To find out how we handle your personal data you can view the privacy policy here: https://www.gov.scot/privacy/

Next steps in the process

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public at Citizen Space. If you use the consultation hub to respond, you will receive a copy of your response via email.

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us. Responses will be published where we have been given permission to do so. An analysis report will also be made available.

Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them to the contact address above or email above.

Scottish Government consultation process

Consultation is an essential part of the policymaking process. It gives us the opportunity to consider your opinion and expertise on a proposed area of work.

You can find all our consultations online: Scottish Government consultations - Citizen Space. Each consultation details the issues under consideration, as well as a way for you to give us your views, either online, by email or by post.

Responses will be analysed and used as part of the decision-making process, along with a range of other available information and evidence. We will publish a report of this analysis for every consultation. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.

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Any enquiries regarding this publication should be sent to us at

The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

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