Draft guidance: Check if you have a large land holding

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Scottish Government
Riaghaltas na h-Alba

Check if you have a large land holding

The Land Reform (Scotland) Act 2025 (“the Act”) introduces new duties for some landowners.

Use this guidance to check whether those duties apply to you.

If you they do, you will need to:
- engage with local communities
- prepare and publish a land management plan
- follow additional rules before selling land

This guidance is in draft. The duties described here are not yet in force.

Quick check

Use this quick check to see if you can rule yourself out or if you should read the full guidance to see if the new duties apply to you.

The new duties do not apply to you if:
- you own your own home and no other land
- you only rent land from someone else

You should read the full guidance if **any of the below** apply to you:
- you own more than 1,000 hectares of land in Scotland
- you are associated with a company, trust or partnership that may own land in Scotland
- you co-own land with other people
- you are unsure about any of the above.

Who this guidance is for

This guidance is for people and organisations that own land in Scotland.

This includes:
- individuals
- companies
- partnerships
- trusts

What is a large land holding

You will need to follow new legal duties introduced by the Act if you own or control a large land holding.

A large land holding is land that meets **all** of the following criteria:

- it is an area (or areas) of land which is in the ownership or control of:
  - one person; or,
  - a set of persons (e.g. trusts, common ownership, etc) or,
  - connected persons (people or entities that are connected due to one having control over the other)
  - any combination of the above.
- areas of land that are included are 'contiguous' with each other – under the Act this means that the boundaries of the land are within 250 metres of each other.
- The total area of this land is more than 1,000 hectares.

Land can sometimes be counted together even when:

- it is divided into separate nearby areas or includes land recorded under multiple titles
- areas have different ownership arrangements – land you own can be counted together with land owned by people or organisations that are connected to you.

The steps below will help you work out if you have a large land holding.

What counts as land?

For the purposes of the Act, land includes:

- buildings and other structures
- inland water and other water covered land

It does not include the seabed but does include the foreshore.

Step-by-Step guide

To confirm if you own or control a **large land holding**, you need to:

1. List the land which you own
2. check which areas of land are close together
3. group land into single holdings
4. check if single holdings can be combined
5. check connections to other people or organisations
6. add connected land
7. repeat the checks
8. add up the total area

Step 1: List the land you own

Start by listing all land you:

- own yourself
- own jointly or in common

At this stage, include land even if:

- it is far away from your other land
- someone else rents or uses it

Do not include land that you only rent from someone else.

Step 2: Check which areas of land are close together

Areas of land can be counted together if they are ‘contiguous’. Under the Act, this means that areas of land are within 250 metres of each other, measured at the nearest point between boundaries.

Unlike some definitions of ‘contiguous’ in other contexts, boundaries don’t need to be directly adjoining.

Multiple contiguous areas of land can be combined to form one larger area. The Act calls this a “contiguous area”.

Example A: Grouping contiguous land

To be added to a contiguous area, each area needs to be within 250 metres of one other area. Areas can ‘chain’ as below:

- Area A is less than 250 metres from Area B. They are contiguous with each other.
- Area B is less than 250 metres from Area C. They are contiguous with each other.
- Area A is more than 250 metres from Area C. They are not contiguous with each other.
- Area A, B and C can be treated as forming one contiguous area.

Getting information on boundaries

You may need to consult title deeds to check boundaries of land you own.

The Registers of Scotland Knowledge Base includes guidance on land and property information, including:

- A guide to interpreting title plans and,
- Property boundaries - Registers of Scotland

Step 3: Group land into single holdings

At this stage, group together land that:

- has the same owner or owners
- forms one contiguous area.

The Act calls this a "single holding".

Example B: Grouping land into single holdings

More than one area of land can be included in a single holding.

For example,

- Area A and B are owned by Company Blue
- They are contiguous (within 250 metres of each other)

These two areas of land can be combined into one single holding.

Example C: Ownership of each area must match

The ownership of each area in a single holding must be identical.

For example:

- Area A is owned by Iona
- Area B and C are owned in common by Iona and Hardeep

If they are contiguous (within 250 metres of each other), Areas B and C can be combined into a single holding. This is because the ownership of these areas is identical.

Area A can’t be added to the same single holding as B and C at this stage. Iona is an owner of all three single areas but overall ownership is not identical.

After this step you would end up with the following single holdings:

- Single Holding A: owned by Iona
- Single Holding BC: owned by Iona and Hardeep

You would then consider if these can be combined further at the next step.

Step 4: check if single holdings can be combined

Sometimes separate single holdings must be treated as one larger holding. The Act calls this a "composite holding".

You may need to combine multiple single holdings into a composite holding if the single holdings:

- are contiguous (within 250 metres of each other), and
- share an owner or have connected owners

First, check if any of the single holdings share an owner and should be grouped.

Example D: combining land with the same owner

If we return to the Single Holdings from Example C above, we had:

- Single Holding A: owned by Iona
- Single Holding BC: owned by Iona and Hardeep

Single Holding A shares an owner with Single Holding BC.

Assuming these single holdings are contiguous (see Example A: Grouping contiguous land they can be combined into one composite holding.

Example E: overlapping composite holdings

There may be situations where composite holdings identified by different owners 'overlap' (include some of the same land).

If Hardeep from Example C and D above also owned land within 250 metres of Single Holding BC, then another composite holding would be formed with his land and Single Holding BC.

This composite holding and the composite holding formed in Example D would partially overlap as they would both include Single Holding BC.

As noted above in What is a large land holding section, land recorded under multiple titles may be considered together under the Act. Land being included in more than one composite holding under the Act does not have any impact on the ownership of underlying titles.

Step 5: Check connections to other people or organisations

Connected people or organisations may need to count their contiguous land together.

This means land that you do not own directly could still form part of the same large land holding.

You might be considered connected to another person or organisation in several ways. Common examples include connections:

- to a company, trust or partnership you control
- to a person or organisation that has control over you
- between different companies, trusts or partnerships in the same control
- between companies that are part of the same group

Family relationships alone do not mean that you are connected for the purposes of the Act. There must be some other form of connection, for example you might be connected to a family member through your role in a company, partnership or trust.

The legal rules on connections can be complex. If you think any of these situations might apply, read Further detail on connected persons and consider seeking professional advice.

Example F: Connections through a common connected person

Under the Act, people or organisations are connected to each other if there is a person or organisation with control over both of them.

For example:
- Calum has control over Company A
- Calum also has control over Trust B

This means that under the Act:
- Calum is connected to Company A
- Calum is connected to Trust B
- Company A is connected to Trust B

Example G: Shared control

If several people or organisations control the same organisation, they are each connected to the organisation under the Act. They would each need to consider if land owned by the organisation should be counted together with land they own.

They are **not** connected to the other people that also have control over the same organisation.

For example:
- Company A is controlled by two people: Calum and Alex
- Calum is connected to Company A
- Alex is also connected to Company A
- Calum and Alex are not connected to each other

Step 6: Add connected land

Your land should be grouped with land owned by connected people or organisations if it is contiguous (within 250 metres).

Once you have identified connected people or organisations, you should confirm any land owned by them. You should then check whether any of this land is contiguous to a single holding or composite holding you have identified.

If it is, then that land would be added to the composite holding. You should repeat this step until all land contiguous to the composite holding(s) is owned by people you are not connected to.

Example G: Adding land owned by connected persons

Anndra owns land in his own name.

He controls a company which also owns land.

Land owned by the company can be combined with land owned by Anndra if it is contiguous.

Dealing with more complex patterns of land ownership

If you have multiple connections to different people and/or organisations that own land close to yours then there is a chance that composite holdings may ‘overlap’. This means that the same land could be a part of more than one composite land holding (see Example E: overlapping composite holdings)

Step 7: Repeat the checks

Each time you add land to a composite holding:

1. Check the list of land owned by people or organisations that are connected to you again
2. check whether any of it is within 250 metres of the boundaries of the updated composite holding
3. add any connected land.

Keep repeating these checks until no more land can be added.

Step 8: Add up the total area

Add together all land in each final holding.

If the total is:

- 1,000 hectares or less: you do not have a large land holding
- more than 1,000 hectares: you have a large land holding

If you have a large land holding

You will need to:

- meet community engagement requirements, including preparing a land management plan
- follow additional rules before selling land

These duties are not yet in force, and this guidance will be updated based on the outcome of relevant consultations.

If you are not sure [H3]

Ownership arrangements of land can be complex.

Consider professional advice if:

- companies, trusts or partnerships are involved
- you are unsure whether people/entities are connected
- you are unsure about the boundaries of land (e.g. for land in the sasine register)

Worked Example

1: Mairi checks if she has a large land holding

In this worked example, Mairi is trying to confirm if she has a large land holding.

Step 1: Making a list of owned land

First, Mairi makes a list of the land she owns.

Land	Ownership
Area A	Mairi
Area B	Mairi
Area C	Mairi
Area D	Mairi and Aisha
Area E	Mairi and Aisha
Area F	Trust ABC (where Mairi is a trustee)

Step 2: Check which areas of land are close together

Mairi consults the boundary information for her land and makes a note of distances between the different areas:

Land	Ownership	Distance from other land
Area A	Mairi	Within 250m of Area C and D
Area B	Mairi	Within 250m of Area C
Area C	Mairi	Within 250m of Area A and B
Area D	Mairi and Aisha	Within 250m of Area A and F
Area E	Mairi and Aisha	More than 250m away from all other areas
Area F	Trust ABC (where Mairi is a trustee)	Within 250m of Area A, B, C and D

Mairi's conclusions:

- A, B, C, D and F are all contiguous with at least one other area
- E is not contiguous with any of the other land

Step 3: Group land into holdings

Mairi would consider the information from step 1 and 2 and use this to group land into single holdings.

Single Holding	Made up of
Single Holding ABC	Area A, B and C
Single Holding D	Area D
Single Holding E	Area E
Single Holding F	Area F

Mairi's conclusions:

- A, B and C have the same owner (Mairi) and form a contiguous area
- D and E have the same owners (Mairi and Aisha) but are not contiguous with each other
- There are no other areas with the same ownership as F so it can't be combined with anything else

Step 4: Check if single holdings can be combined

Single Holding	Ownership	Contiguous with another single holding?
Single Holding ABC	Mairi	Yes
Single Holding D	Mairi and Aisha	Yes
Single Holding E	Mairi and Aisha	No
Single Holding F	Trust ABC (Mairi is trustee)	Yes

Mairi's conclusions:

- Mairi is an owner of all four single holdings.
- All single holdings except Single Holding E are contiguous.
- They can be grouped together into Composite Holding ABCDF.

Step 5: Check connections to other people or organisations

As Mairi is associated with organisations which own land, she seeks appropriate advice.

Mairi's conclusions:

- she is connected to Company Green (a company she controls).
- She is also connected to LLP Yellow (a partnership she controls)
- Mairi now knows she must check if any land owned by these connected entities is close to Composite Holding ABCDF.

Step 6: Adding land owned by connected persons

Mairi would consider the connections she identified at step 5 and make a list of land they own. She would check if any land owned by these connections is contiguous with the composite holding that she identified at Step 4.

Connection	Land owned	Contiguous?
Company Green	None	n/a
LLP Yellow	Area H	Yes
LLP Yellow	Area I	No

Mairi's conclusions:

- Area H meets both tests:
    - It is owned by a company connected to Mairi

    - It is contiguous (within 250 metres of the composite holding)
- Area H is added to the composite holding – which becomes **Composite Holding ABCDFH**

Step 7: Repeating for nearby land

Mairi checks her list of land owned by connections again to see if any of it is close enough to the new composite holding.

Area I is still not contiguous, so the final composite holding is made up of holdings ABCDFH.

Step 8: Adding up the total area

To check the area of composite holding ABCDFH, Mairi adds up the sizes of all of the land within it.

Land	**Size**
Area A	400 hectares
Area B	100 hectares
Area C	20 hectares
Area D	150 hectares
Area F	200 hectares
Area H	300 hectares
Composite ABCDFH	**1,170 hectares**

Mairi's conclusions:

- The composite holding is 1,170 hectares.
- Because this is more than 1,000 hectares, Mairi has a large land holding.

Further detail on connected persons

People with significant control

Under the Act, you are connected to a company or partnership if you are a person who would need to register on Companies House as a person with significant control (PSC).

This might be because you:

- hold more than 25% of shares in a company
- hold more than 25% of voting rights in a company or partnership
- can appoint or remove the majority of senior leadership
- have significant influence or control over the company or partnership in another way

For further information see UK Government guidance on People with significant control requirements

Register of Persons Holding a Controlled Interest in Land

You may be connected to other people or organisations if you are a person who is recorded or should be recorded in the Register of Persons Holding a Controlled Interest in Land (RCI).

This 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.

RCI records the:

- recorded person: this is the owner of the land (or someone with a lease of over 20 years)
- associates: this is a person or organisation who has significant influence or control over what happens with the land.

Under the Act:

- If you are an owner of land who is a recorded person under RCI – you are connected to associates.
- If you are an associate – you are connected to the recorded person(s) for the land.

While a person who leases land for more than 20 years may be a recorded person under RCI, this would not lead to them being a connected person under the Act.

If you are not required to be recorded as a recorded person on the RCI because an exemption applies then there will not be a connection linked to RCI under the Act.

For further information see Registers of Scotland guidance on the Register of Persons Holding a Controlled Interest in Land

Companies in the same group

Under the Act, companies are connected if they are part of the same group. For example, a parent company and its subsidiaries (the “family” of companies under common control).

For further guidance see: HMRC guidance on Capital gains group definition

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