

RURAL AFFAIRS AND ENVIRONMENT COMMITTEE

Cabinet Secretary for Rural Affairs
and the Environment

c/o Clerk to the Committee
Room T3.40
The Scottish Parliament
Edinburgh EH99 1SP
Tel: (0131) 348 5240
e-mail: rae.committee@scottish.parliament.uk

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Dear Richard,

Getting the best from our land – a draft land use strategy for Scotland

The Rural Affairs and Environment Committee took evidence on the Scottish Government's draft land use strategy at its meeting on 8 December 2010.¹ We also received a number of supporting written submissions.² Following the evidence sessions the Committee agreed to write to you to set out our views. I am aware that the closing date for submissions to the consultation on the draft strategy was 17 December 2010 and the Committee is grateful for your indulgence in accepting this correspondence after that date.

The Committee acknowledges the significant challenge that the Government has been presented with in trying to produce an integrated land use strategy that will have a real effect in practice, especially given that most of Scotland's land is privately owned and local authorities, broadly speaking, have autonomy regarding planning decisions. Although the strategy has been produced because of the requirement in the Climate Change (Scotland) Act 2009, the scope of the draft goes beyond looking at land use and management solely to mitigate climate change, which is welcome, but we think the strategy should take account of the realities of ownership and the devolved nature of the planning system.

We join those who gave evidence to us in welcoming the publication of the strategy and are broadly supportive of its three strategic directions of establishing a low-carbon economy, better consideration of the natural environment and connecting people to the land. However, within those broad objectives, more detailed questions remain, such as where trees should be planted, how prime agricultural land can be protected, how land can be conserved and accessed for recreation and tourism, how carbon emissions can continue to be lowered, how biodiversity can be protected and enhanced, and how land-based businesses can be best supported to be successful and contribute to a thriving rural economy.

The evidence the Committee received resulted in us drawing several main conclusions:

¹ [Scottish Parliament Rural Affairs and Environment Committee, *Official Report*, 8 December 2010.](#)

² Written submissions were received from ConFor, NFUS, SE Link, SNH, SRPBA, HIE and SEPA are available at this link:
<http://www.scottish.parliament.uk/s3/committees/rae/currentInquiries.htm>

- witnesses were unclear on what the **purpose** of the strategy was, and this fundamental question needs to be addressed throughout the strategy;
- whilst we agreed with you that it should not be a spatial strategy, we considered that it should more clearly set out **national priorities** for land use which result from making **choices** about the best use of Scotland's finite land resources;
- the strategy should seek to detail **incentives** available for land owners and managers to achieve desired measurable outcomes and avoid being another regulatory tool; and
- the strategy should be a high-level **hierarchical** document from which localised plans and all other related policies should flow.

What is the strategy for?

It was clear to the Committee that the draft strategy had not succeeded in clearly setting out its purpose. The Committee considers that the strategy needs to be more explicit in its opening paragraphs about what it is intended to achieve. We believe that the strategy should be clear in setting itself out as an over-arching document with a clear purpose to guide those making land use decisions.

In considering possible different purposes of the strategy, witnesses highlighted the questions that the strategy should seek to answer. The most challenging issue is surely that of reconciling competing land uses and public and private interests, and the strategy does not fully address how such competing interests will be prioritised and reconciled across the country. The strategy should accept as a fundamental principle that any land use strategy cannot hope to please everybody and be all things to all people, nor would it be appropriate for it to try and do so. If its purpose and priorities are not clearly established and explained for land owners, managers, and users, the strategy may give the impression that difficult choices can be postponed.

The strategy should outline the national priorities and how they should be implemented. Given the origins of the strategy, it is evident that the strategy must outline how *all* these priorities will contribute to targets set out in the Climate Change (Scotland) Act 2009 and in the Report on Proposals and Priorities, required under the Act. It must also set out how these will help secure adaptation to climate change.

Beyond this, however, the Committee considers that clear priorities for the use of Scotland's land must be set out. Setting priorities means making choices. Having considered all the evidence submitted to us, the Committee is of the view that the main priority of the strategy should be ensuring a long-term, sustainable agriculture sector, wherever land is capable of supporting it, and, in particular, protecting high quality agricultural land. This does not mean that the priority for all land should be agricultural production. That would be neither desirable nor – since so much of our land is of marginal agricultural value – practicable. But the most pressing priority, from which a raft of other benefits and public goods can flow, is the sustainability of our agricultural sector. As we noted in our letter to you on Scotland's hills and islands, back in June, we believe that the public goods delivered by Scottish farming go far wider than agricultural production, to include environmental protection, the

maintenance of traditional rural landscapes, biodiversity, public access to the countryside, and the retention of viable, sustainable rural communities.

Delivery and incentives

The primary broad criticism of the strategy made in evidence, and one which the Committee agrees with, is that, in its current form, it lacks sufficient detail on how the laudable aims set out in much of the document will be delivered. The strategy displays ambition but does not explain how that will be practically achieved and what delivery mechanisms will be employed.

The Committee considers that any land use strategy should work from the starting point that most land in Scotland is privately owned and managed and then go on to outline how private owners, most of whom are seeking to earn a living, can take advantage of various incentives available to deliver those outcomes. It is important that the strategy is an enabling rather than a regulatory document that says – “this is what we want to achieve on/from the land, and here is how people can be helped to achieve that”. It is important that incentives are made clearer to land owners and managers by making the link between the desired outcomes and the incentives delivered by other policy. Only through clarifying such incentives in the strategy will the Government be able to ensure a sustainable agriculture sector, ensure Scotland meets the targets set in the Climate Change (Scotland) Act 2009 and meet other national or international priorities set out in legislation or policy.

As the strategy states, not all land is suitable for, say, agriculture, forestry, housing or wind farms. It is also important to note that land use is not static and just because a parcel of land has been used historically for one purpose, changing circumstances should not prevent it being managed differently in the future. The Committee is of the view that more creative thinking is required for the use of some land to ensure that as many benefits as possible, where appropriate, can be delivered. Many of those who gave evidence to the Committee agreed that one type of land can actually deliver a wide variety of beneficial economic, environmental and social outcomes, if managed appropriately.

Integration with other policies

Several witnesses commented on the lack of read-across between the many different strategies, policies and pieces of legislation which impact on land use in Scotland, and concern was expressed that not all of these documents were pulling in the same direction. Many believed that the land use strategy should be the primary overarching strategy from which more sectoral strategies should flow. The Committee was struck by the sheer number of documents that any land user or manager may be expected to be familiar with, and what an unrealistic expectation it would be for, say, a farmer to have knowledge of all these documents as well as carrying out their work. The strategy should assist those making land use decisions by helping to steer a course through a cluttered regulatory landscape.

Some witnesses felt that the use of urban land in particular had not been properly reflected in the strategy and the Committee agreed that the final document should be more specific about how urban land is covered and exactly how green spaces will be protected and enhanced. The strategy should also outline how it will tie-in with the national planning framework. One witness told the Committee that they

understood the Government's intention was for the land use strategy and national planning framework to cover all land in Scotland between them, both rural and urban, but noted that any link between the two was not sufficiently clear.

One witness also considered that the strategy should link with the marine environment, through both marine planning and the marine strategy. The Committee also noted comments made to us that the strategy should interact with river basin management planning. We would ask the Scottish Government to ensure that there is no duplication between the strategy and river basin management plans, and that the strategy looks at possible multiple land use benefits that may result from river basin management, such as soil protection and food security.

The Committee considers it important that the strategy informs local plans, which can contain a more appropriate level of detail relevant to particular areas. We therefore consider that planning authorities should have regard to the strategy when drawing up local plans and should consider how their plan can contribute to achieving the national priorities. It is also essential that the Scottish Government has an overarching monitoring role in assessing such local plans to ensure that, when considered across all 32 local authority areas, they have taken account of the strategy and contributed to the delivery of the national priorities.

Other issues

Forestry

The issue of forestry cover continued to divide stakeholder groups, and serves as an example of the challenges ahead in producing a workable land use strategy. It also highlights a shortcoming of the strategy in failing to outline how choices will be made between competing land uses.

The Committee continues to receive a significant amount of evidence calling for the 25% target of forestry cover in Scotland to be reviewed. We also believe that the strategy needs to be more explicit about the types of land trees should be planted on and what the resulting knock-on effects of that could be. There is an obvious tension between needing land for planting trees and maintaining the relatively small amount of better quality agricultural land that we have and any land use strategy should address that directly. The Committee reiterates its view that the target of ensuring that 25% of Scotland's land area is covered by woodland by 2050 should be reviewed in order to reconsider its appropriateness and the best way of setting and achieving any targets. Also, the strategy should expressly state whether it is possible to satisfy the 25% target without compromising other objectives, such as not planting on prime agricultural land. This is an example of potentially competing policy objectives. The strategy should explicitly show how such objectives can be met, and where an objective cannot be met without compromising another objective, it should prioritise.

Ecologically Coherent Networks


The Committee notes the publication of the report³ by Professor Sir John Lawton on England's protected areas and ecological network, which concluded that England's collection of wildlife sites were generally too small and too isolated, leading to declines in many of England's characteristic species.

In our Stage 1 report on the Wildlife and Natural Environment (Scotland) Bill, the Committee asked the Scottish Government to consider whether the strategy would be an appropriate vehicle for considering the establishment of ecologically coherent networks, and the Committee welcomes the Government stating in its response to our Stage 1 report that consideration is to be given to that. Having heard further evidence presented to us on this issue as part of this exercise, we remain supportive of the principle of seeking to establish ecologically coherent networks but consider that further information is required on how such networks would be practically achieved in a Scottish context and what the consequences would be on the use of land of all types.

Connecting people to the land

Witnesses welcomed the objective of connecting people to the land but felt it required more detail on how it would be delivered. The Committee was of the view that education was central to helping to connect people to the land. There are many people in both urban and rural areas who do not earn a living from the land, and also are not involved in the kind of outdoor interests and pursuits that would create a deeper understanding of the landscapes around us. The Committee would therefore welcome the Scottish Government giving some thought to how the strategy could establish, or outline the best mechanisms for, more effective education on land use and management in all its forms.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Maureen Watt', with a stylized flourish at the end.

Maureen Watt MSP
Convener

³ Sir John Lawton (2010). *Making Space for Nature: A review of England's Wildlife Sites and Ecological Network*
Available at: <http://www.defra.gov.uk/environment/biodiversity/documents/201009space-for-nature.pdf>