

RURAL AFFAIRS AND ENVIRONMENT COMMITTEE
SCOTTISH GOVERNMENT'S DRAFT LAND USE STRATEGY
WRITTEN SUBMISSION FROM SRPBA

1. General comments

- 1.1. The SRPBA is supportive of the principle of a Land Use Strategy (LUS) and the Scottish Government is to be commended for attempting to produce an overarching strategy for integrated land use in Scotland.
- 1.2. However, possibly partly as a result of the tight timescales set out in the Climate Change (Scotland) Act 2009, the draft Strategy produced lacks detail and as a result may not have a demonstrable impact on policy making in Scotland. It is high level with some general policy direction, but lacking in detailed proposals and policies. It may be more accurately described as a collection of aspirations rather than a strategy.
- 1.3. The draft LUS states that in traditional policy making, individual sectors such as agriculture, forestry or renewable energy have often been considered in isolation. However, the SRPBA suggests that this whilst this is true at both central and local government levels, it is not the case for land managers who have generally always taken a more holistic approach to decision making. Indeed the majority of estates in Scotland already have integrated land use plans.
- 1.4. This strategy looks forward to 2050 which is a long term vision in government terms but many land managers plan in much longer timescales, with 100 year estate plans common. This strategy may not sit well with planning and decision making in some sectors such as forestry.
- 1.5. The strategy seems predominantly rural and is not necessarily reflective of urban peri-urban issues.
- 1.6. It should be noted that the comments set out in this written evidence to the Rural Affairs and Environment Committee represent the SRPBA's initial views, but given that the consultation period on the draft Strategy has not ended, the Association is still gathering opinions from members and so this does not represent the final view of the Association.

2. Principles for Sustainable land use

- 2.1. The draft strategy sets out guiding principles for sustainable land use. In setting out principles for government policy-making a third should be added, namely that the Scottish Government should seek to reduce rather than increase the burden of regulation. The strategy indicates that regulation must place as light a burden as is consistent with achieving the objective but this sentiment must filter down to all branches of government and the public agencies.
- 2.2. **The principles for involving people should emphasise the need for responsibility in relation to land use for recreational and public access purposes.**

3. Vision

- 3.1. The vision as set out in the draft Strategy is sound – “a prosperous and sustainable low carbon economy underpinned by successful land-based businesses, flourishing natural environments and vibrant communities”.
- 3.2. Reference to managed environments would be helpful to reflect the fact that rural Scotland is almost entirely a managed landscape. Equally the need for mutual respect and greater understanding between various interests in the land would be useful.

4. Objectives

- 4.1. The 3 objectives and accompanying strategic directions are laudable aspirations but we need to ensure they are affordable and achievable. A land use strategy cannot be all things to all people and still be effective in directing decision making.
- 4.2. The objectives mirror the 3 pillars of sustainability namely economic, environmental and social and in his foreword the Cabinet Secretary indicates that the strategy will help in supporting our common goal of sustainable economic growth. However, if this is an overriding ambition, it is diluted somewhat by the fact that no attempt has been made to prioritise the 3 pillars. Compromises between these 3 objectives must be made in every land use decision that is taken. For example, whilst it is generally the case that communities should be involved in more decision making processes but to involve wider communities in all decisions could have a detrimental impact on economic growth and may prevent inward investment.
- 4.3. Land based businesses must be successful and profitable before they can deliver environmental and social objectives. The SRPBA suggests that this is not always appreciated by policy makers.

5. Whose Land is it?

- 5.1. We might ask why it is so important in Scotland that people, particularly urban people, feel connected to the land? This could have a number of implications, for example that the wider public should have an understanding of the land and where their food and fuel comes from. It could also mean they should feel a sense of ownership in the land and be able to use the land for their own purposes whether commercial, recreational or leisure. In this context it would be appropriate to have included some reference to respect for private property rights so that it is made clear that the land is a workplace on which many Scottish people depend to make a living, as well as a place for recreation and leisure.
- 5.2. Although it is about land use rather than land tenure, the Land Use Strategy could foreseeably have implications for further land reform in Scotland.
- 5.3. The draft Strategy sets out the principle that the land use is a collaborative thing. Individuals or even communities may own title to parcels of land or have rights under leases and other legal structures, but the Scottish Government is setting out the principle that it is not only landowners or managers that should be involved in land use and decision making related to land. Land owners, farmers and foresters are first and foremost business people who must be able to make a living from the land but it is clear that land is not treated like other business property in Scotland. The draft Strategy refers to land being part of our “cultural inheritance” and an “important component of our identity” so land use decisions have to be made in a collaborative way having regard to a whole host of factors and people that may not affect non land –based businesses.
- 5.4. The draft strategy does not reflect the many examples of good integrated land use in the private sector and seems to suggest that the only way this can be achieved is through community ownership. Any land use strategy in Scotland must recognise and support diversity of ownership and management and give adequate recognition to the private sector.

6. LUS and the Planning system

- 6.1. We understand that it is intended that the LUS affects land to which the planning system does not apply. However the status of the land use strategy in the planning framework is not clear. The draft LUS states that future planning policies can be informed by the strategy, but how this will happen is not set out, nor the necessity for this apparent given that we already have NPF2. It would be useful to know whether the National Planning Framework will be revised to take account of the LUS or are they already aligned?
- 6.2. The draft LUS states that “we expect those developing, revising or taking forward any land related plans and processes will take account of the government’s strategic direction for land

use as set out in this strategy”. However, the draft LUS is vague and arguably almost anything could be justified at local level as falling within the strategic direction.

6.3. The SRPBA would like clarity on what happens in the context of the development planning system if the LUS is not taken account of.

7. Delivery

7.1. The draft strategy is weak on how the aspirations contained within it will be delivered. There is little or no explanation of how the major shift to a low carbon economy, which still maintains successful rural businesses and vibrant communities, can be achieved.

7.2. The LUS sets out some actions for the Scottish Government but a more detailed action plan is needed setting out resources and responsibilities as well as monitoring implementation. For example in relation to housing the draft states “the challenge is to find the best way to provide appropriate housing to support rural communities”. This should make reference to the wide range of delivery mechanisms available including those which can be delivered by the private sector. This may require fundamental changes to current affordable housing funding policies.

7.3. The LUS must dovetail with funding streams, principally the SRDP (or its successor following further CAP reform) otherwise it will simply not be deliverable. Land use decisions and funding mechanisms are inextricably linked.

7.4. The draft Strategy points out that businesses need a coherent and predictable policy framework in order to facilitate good decision making. The SRPBA believes that this is a positive statement. The regulatory framework must encourage entrepreneurship. Encouraging integration in land use will mean looking for new and innovative land use structures including multi-purpose, flexible tenancies. Any legislation which limits innovation or prevents integrated land use should be discouraged. Agricultural Holdings legislation is a prime example.

7.5. The strategy also talks about the importance of sharing good practice which again is to be supported. Mechanisms to bring together individuals and agencies in the public and private sectors to share good practice must be supported. The SRPBA and SEBG’ current initiative, Wildlife Estates, which the Committee has been made aware of in the context of the ongoing Wildlife and natural Environment (Scotland) Bill, seeks to promote best practice in sustainable hunting and is an example of how sharing good practice can be used to raise standards across a sector.

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