CALL FOR EVIDENCE-COMMUNITY EMPOWERMENT (SCOTLAND) BILL

NFU Scotland is encouraged by the Bill, and considers that encouraging partnership working with communities has wide ranging benefits for the rural economy.

However, NFU Scotland is concerned that there is not a concrete definition for what constitutes ‘wholly or mainly abandoned or neglected’ in the context of land. Parcels of land may be out of regular ‘use’ for periods of time when they are involved in an agricultural enterprise. Reasons for this are numerous, but could include the following:

- Land which has been sown in crop which has subsequently become unviable, for example in years of extremely wet weather conditions.
- Where changes have occurred to an agricultural enterprise, for example reduction in stock, or change in type of stock.
- Where fields are grazed on a rotational basis and are empty for extended periods of time.
- Reduced levels of activity on parcels of land due to farms establishing Ecological Focus Areas under the new CAP.

NFU Scotland considers that where land is classified as agricultural land it should not be possible for a community to purchase that land as ‘abandoned or neglected’ unless it can be proven that it fails to meet GAEC requirements. Under the scenarios listed above, a community could make an application to buy a parcel of land as neglected or abandoned, when in fact this is not the case.

NFU Scotland is also concerned that there are no timescales in relation to how long land has to be considered ‘abandoned and neglected’ for before a community could attempt to purchase it. Again, in relation to the scenarios listed above a time scale would recognise that land could appear to be abandoned or neglected for a period of time, but ultimately not qualify as a subject of a community purchase.

Without clearer definitions and timescales, NFU Scotland is concerned that those who own land may erroneously stand to lose it in the event of a community wishing to purchase it.

Ends.