Written submission from Diane and George Ross

I am writing to you as a member of the public, Scottish Citizen, tax payer and small land owner regarding concerns over the land reform bill.

It is important when you are dealing with Agricultural tenancies that you remember that one size does not fit all. Small landowners who have a tenant under the 1991 Act will be extremely disadvantaged by the proposed changes. It should be considered that where a tenant has claimed land under a 1991 tenancy in fairly recent years with no successor then although the landowners may never have the benefit of the land they own their successors would. The proposed changes around succession would change this.

In addition, 1991 tenants have the power to take control and do not require to ask permission or give notice for anything they do on the land. They do not need to discuss their plans, claims for subsidies, they can even change the farm code with no discussion. The only comeback is when a tenant gives up a tenancy and compensation has to be paid, however, no tenant would give up this kind of tenancy and with the proposed extension to succession then it seems that a landowners hands are tied.

Not all tenants live on the land or have a house with the land, not all tenants have rented the land through generations, some are within recent years. Not all landlords are wealthy and own large estates. Not all landlords live abroad. There are landlords who are Scottish Citizens and tax payers and are going to be extremely disadvantaged by these proposals.

Please, when considering the 1991 Tenancy Act through the land reform bill, remember that one size does not fit all.

Landlords with one holding and a 1991 tenant are in a very weak position already. It does not seem fair that the proposed extension to rights of succession mean that the tenant will be able to choose who takes on the farm meaning, in our case, the tenant will have the say in who passes our house, who farms our land and who is virtually in our back garden. What would be wrong with first of all giving the landlord (that lives on the farm) the chance to take the farm back in hand? It would still be farmed, in fact, speaking personally, we could expand our business and contribute more to the local and Scottish economy, this is something really important to Caithness with the decommissioning of Dounreay and the reduction in population. Due to the fact that there is no house or buildings for the tenant, no, or very little improvements are made to the farm, just maintenance, so why would it be an issue for a landlord to take the land back in hand?