Written submission form Rural Housing Scotland

Rural Housing Scotland supports rural communities in Scotland to develop practical solutions to local housing problems; and through housing to build thriving, resilient and sustainable communities. We provide support from initial feasibility – helping communities identify the need and develop a viable solution – through to the construction of affordable homes. We help communities secure affordable housing through community trusts and to work in partnership with government, landowners, and housing associations to secure more affordable housing.

Access to land to deliver affordable housing is vital to deliver the sustainable development of our rural communities. Our experience working with rural communities across Scotland is that land ownership can be one of the barriers to the development of affordable housing – by delaying development, or scuppering the viability of affordable housing development through land value expectations. These barriers are not exclusive to one type of landowner with private, charitable and public landowners all responsible for thwarting or delaying community housing projects. The work of community landowners such as Isle of Gigha Heritage Trust shows what a community can achieve to further sustainable development where land is made available for affordable housing. Equally where communities and landowners cooperate much can be achieved.

The centrality of land to the development of affordable rural housing is highlighted in the Land Reform Review Group recommendations, many of these are still under consideration by the Scottish Government and are not in the proposed bill. We look forward to learning how the Scottish Government intends to take these forward and are encouraged that this Bill is seen as part of a land reform programme. Nevertheless we welcome the opportunity to submit stage 1 evidence to the Rural Affairs, Climate Change and Environment Committee on the Land Reform (Scotland) Bill, as the Bill has the potential to make a real difference to securing land for affordable housing and the sustainable development of our rural communities.
Part 1: Land Rights and Responsibilities Statement

Rural Housing Scotland welcomes the proposed requirement for the Scottish Government to prepare a land rights and responsibilities statement setting out the Scottish Government’s objectives for land reform. This has the potential to provide an overarching policy reference point to ensure coherent policy development across the Scottish Government, and the potential for land reform objectives to be mainstreamed throughout all Scottish Government policy.

The land rights and responsibilities statement can help ensure that key land reform objectives such as community empowerment, community ownership and sustainable development are integral to policy areas such as housing, economic development and planning.

Part 2: The Scottish Land Commission

We welcome the establishment of a Scottish Land Commission as an independent body to review the effectiveness of law and policy in relation to land, to undertake research, gather evidence and recommend changes. The Commission provides a focus for the engagement of the public, community and voluntary sector organisations and others in land reform. We welcome the opportunity the Commission will provide to relate how land reform is making a difference to rural affordable housing development, to highlight good practice and also to raise any concerns and issues which arise.

As a key part of sustainable development and land use we believe that housing and land for housing should be integral to the Commission’s work. As such we would like to see more detail on how the Scottish Land Commission would interact with any Housing Land Corporation or existing land assembly structures in local government.

In addition to the areas of expertise highlighted as being essential for Land Commissioners we would expect the body of Commissioners to include people with to have experience in housing, community and rural development.

Part 3: Transparency of Land Ownership in Scotland

We support a right of access to information on persons in control of land, and greater transparency on who owns land in Scotland. Communities seeking to engage with local landowners to secure land for affordable housing need to know who owns the land in the
area in order to progress developments. Lack of transparency can lead to delays which can hinder and thwart development plans. Estate tenants should also have a right to know who their landlord is and who is ultimately making decisions regarding their housing.

**Part 4: Engaging Communities in Decisions Relating to Land**

We agree that there are considerable benefits to be gained for the community as a whole from landowners and communities working together. As recognised by the Bill it is essential for this engagement to be productive that communities are clear on what their needs are and to define and plan their needs and priorities. To this end it is vital that resources are made available for communities to define and articulate their needs for crucial community assets such as affordable housing.

We welcome the commitment of the Scottish Government to produce guidance to secure the engagement of communities with landowners. We are pleased that this guidance is to be produced collaboratively and would welcome the opportunity to contribute to this.

We support the measures proposed for failure to follow guidance and good practice in community engagement.

**Part 5: Right to buy land to further sustainable development**

Rural Housing Scotland strongly supports the introduction of a community right to buy land to further sustainable development.

Affordable housing is vital to sustainable development and we are pleased to see that the Bill agrees that a lack of affordable housing or secure tenancies is detrimental to local communities. There are excellent examples of where landowners and communities have worked together to deliver the affordable housing crucial to the retention of people, economic development, keeping the school open, but equally there are examples of where landowners have prevented or delayed development. A community right to buy land to further sustainable development will provide a route for communities to secure land in these circumstances. Alongside the LRRG proposals for compulsory sale orders and to modernise compulsory purchase powers this proposal will help secure land for affordable housing development and the sustainable development of our rural communities.
We agree that this right to buy should only be exercised where it will secure significant benefit and where significant harm would be the consequence of the land not being transferred. We would highlight affordable housing as an example of potential significant benefit whilst continued barriers to such development endanger the sustainable development of rural communities across the country.

Whilst positive engagement between landowners and communities in the transfer of land for affordable housing should be encouraged and good practice highlighted it is vital that communities have the right to buy land for affordable housing to further sustainable development where such engagement is not forthcoming or faced with prevarication or intransigence. We would encourage communities and landowners to plan together for the sustainable development of their community and agree through this process suitable land for affordable housing development.

The option for communities to nominate a third party buyer such as a housing association is also welcomed as many communities will not have the resources to purchase land and affordable housing is most often delivered through housing associations. The expansion of the Scottish Land Fund and the development of the Rural Housing Initiative may provide further opportunities for communities to buy and develop land in their own right but the option to nominate a housing association is a valuable addition.