Written submission from Anonymous

In any jurisdiction, legislation deemed conceived from a single political perspective and “passaged” too hastily through a legislature, may result in unforeseen consequences – and this, in Scotland, with its clear need for (i) improved triple bottom line performance and (ii) investment, might at this time be unfortunate. In common with many more knowledgeable, I worry about “legacy and ideology” driven legislation, aware of the burden of equity and scrutiny this gives hard working MSPs.

Q: Might this result in damage to investment in, and ownership of, agricultural and forestry interests in the future.

Q: Does not, legislation around land use, land reform and future communities require detailed and careful long-term inter-meshing, each component having controversial elements.

Background: There has been a cascade of inter-related legislation (reference also Community Empowerment, Agricultural Tenancy etc and Succession legislation). The stewardship of national resources such as urban and rural land, and informed planning decisions re the former and wise use of the latter, given resource security and the absolute need for the soundest of evidence based soil science afford concerns about the Bill and the potential, in some communities, for potentially irreversible fragmentation. This said, and bearing in mind past salaried involvement in a planning-based environmental charity and NTS Council membership, there are aspects to welcome, valuing the carrots v. sticks approach.

Q: Would not a better developed such system, with due – and then applied - sanctions enshrined, produce better results?

I would therefore request that the Scottish Government (plus MSPs and Parliament Committees carefully and with due respect for their true deep rooted and often decades of expertise, duly to consider points made by bodies such as NFUS, ICAS, Law Society of Scotland, equitable policy think tanks and rural affairs organisations like Scottish Land and Estates. On a few particular points:

Land Rights Statement: This is welcome but like much in the Bill requires Land Reform to be better and consistently defined (including in current and future inter-linked legislation).

Land Commission: OK in principle.

Q: How will independence be truly ensured? Its credibility will stem from initial composition and true independence of government. It would benefit from a suitable Advisory Council with ex officio members from organisations such as, but not limited to, those mentioned above.

Keeper:
Q: Should this be a “request for information” regarding land ownership or a requirement to declare within tightly framed timetable given the timetable and extent of work envisaged?

Consultation/Community engagement: Fully supported!

Q: Should some best practice examples to go on relevant websites? Should not the Scottish Government consider that an apolitical multi-disciplinary think tank such as the RSA (www.theRSA.org) work with it to create a flexible template enabling production / consistency of information and practice for comparisons to be made? Dialogue following a published structure might take the heat out of future polarised local discussions, notably in Part 5 (Right to Buy) discussions.

Finally,

Q: Has due process (namely the timetable) been adequate for such long-term measures?

Q: Should the “Vision for Agriculture” not have preceded this legislation? There is a need for cohesion between the urban and rural and a perceived disconnect between farming and rural at times as things stand. This needs to be carefully addressed.