Written submission from Kenneth Wright

My views on land reform come mainly from a socialist perspective however rights of access and environmental issues are important too. The economic perspective is interesting – although vast sums of money can be generated and preserved by owning land and property, only individuals from certain socio-economic backgrounds or large businesses have any real chance of participating in this economic activity. There are many people in Scotland, in urban and rural areas, who have little or no chance of ever being able to own land/property. This is grossly unjust, damages communities and perpetuates inequality. Economic activity is actually stifled by large county estates monopolising land and infrastructure and by corporate land banking in urban areas.

Land reform

- publishing a statement of the Scottish Government's objectives for land reform;

I support this proposal. This should make the aims of the ongoing land reform process explicit. It should clearly set the Scottish land reform debate within a global social justice agenda. I think the international perspective is important as in Scotland the pattern of landownership is absurd however the absurd has become normal. The statement of aims should make reference to any relevant international law and conventions to provide a robust legal and ethical argument to support legislative change. The statement will be aspirational and by its very nature the Scottish Land Reform Commission must be interventionist. The objectives within the statement will have to balance different interests such as environmental and economic concerns. It will also have to balance the rights of individuals with those of communities. I would like to re-iterate that at present many people have no real chance of owning land or property so the ‘playing field’ is far from level. There will need to be a transparent mechanism for establishing and reviewing the statements objectives. If another government with a different agenda was elected then it would be undemocratic for the objectives of land reform not to be altered. How this process will tie in with election cycles will need to be clear.

- establishing a Scottish Land Reform Commission;

This body should be independent of government. I am not sure how membership should be determined but this process should be transparent. This body should recommend changes to current legislation and propose new legislation to achieve the objectives for land reform as mentioned above. The SLRC should be able to recommend changes to all aspects of governance as land reform has tax and planning implications too. I understand that review work has been carried out previously to make recommendations for future land reform and this work could inform the SLRC.

- seeking to improve information on land, its value and ownership;

I understand that only publicly owned land will come under the scope of current plans to improve the registration of land but this does not go far enough. All land in Scotland should be registered in a way that the public can access. This is vital to aid
transparency and should be seen as a step towards implementing land taxation, an upper limit on landholdings and limits on the legal entities which can own land in Scotland. I believe these steps are essential to counter the malignant effect property speculation has upon Scottish communities. This proposal may also counter criminal activities and tax avoidance and/or evasion.

- publishing guidance to landowners on engaging with communities on decisions which may affect them;

I support this proposal in principal as in rural areas landownership remains quasi-feudal. I am not sure how it will be enforced. However, if landowners were in breach of this guidance then it might add weight to the argument for intervention as part of a right to buy to further sustainable development. I am not sure how this proposal could be implemented in urban areas to address land banking of derelict land.

- introducing a right to buy to further sustainable development;

I think sustainable development should inform the whole process of land reform and not only be relevant to the ‘right to buy’ issue. I would argue that at present the pattern of landownership in Scotland falls short of the objectives in the UN’s 17 proposed goals for sustainable development. Sustainable development is a powerful argument to trigger a community’s right to buy land. Perhaps individuals should have similar rights – there will be areas where communities are very scattered or too small in number to support a community right to buy action. Perhaps local authorities should have a right to buy to provide land for social housing and other purposes.

- local authorities being able to seek court approval to put common good land to a different use.

I am confused about the aims of this change. The status of common good (CG) landholdings in Scotland appears to be very muddled. There is a lack of clear legal definition or protection. There is no clear system of governance or management. Consequently some common good lands may have been lost or sold when they should perhaps not have been. In the past common good lands were an important community resource which provided access to land for those who would never be in a position to hold title to land. Perhaps common good land merits it own legislation. This legislation should seek to define CG land, establish what is held as CG and establish a system of governance for this land. Perhaps CG landholdings could be increased to give communities more access to land for a variety of purposes to aid sustainable development.

**Sporting rates**

- removing the exemption from business rates for shootings and deer forests;

I support this proposal as all individuals and business should pay the appropriate taxes. That said, I think taxation requires a radical overall in Scotland so the business rate system is perhaps not fit for purpose. I recognise that this is beyond the scope of this proposed bill and possibly the powers which have been devolved to the Scottish parliament at present.
Deer management

- expanding the functions of existing deer panels to include engagement with local communities;

Could communities be assisted to obtain the rights to manage deer in the same way as they have been able to obtain the rights to manage woodland which is currently owned by the Forestry Commission? Perhaps this could be funded by ring-fencing some of the tax receipts that might be generated the proposal above.

- introducing a power for SNH to require the production of a deer management plans; and

I support the principal but under what conditions would SNH be able to ask for a deer management plan?

- increasing the penalties for failure to comply with a deer control scheme.

Could sporting rights be revoked instead? All rights carry responsibilities. The right to shoot a wild animal (for financial gain) which a landowner has no obligation to protect and does not own, should not be absolute. If shooting rights are not used responsibly then they should be revoked. The ownership rights of farm and domestic animals are not absolute so it is reasonable to place limits upon the right to shoot an animal which is not owned by those shooting it.