What does the Bill do?

**Land reform**

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

I welcome this, and I think a clear objective for the future of land policy is an essential so that all stakeholders can progress in bettering Scotland and its land based businesses, whilst working with our communities

- establishing a Scottish Land Reform Commission;

The potential for a Land Reform Commission is huge, I would only ask that those representing the commission have a good and sound understanding of the issues and practices used over the wide range of land types and uses in Scotland.

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

This can only be of benefit to all but those abusing the current system. It has been the experience of both me and my tenant farmers, that not being able to contact the relevant owner of neighbouring land can cause considerable problems with fencing, hedge cutting and both of these can directly affect road safety.

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

I welcome this, but do not think it is a significant issue. We have very good communication with lots of local groups and are working with many on projects which are mainly if not solely to the benefit of the community. We most recently established a charity (approved by OSCR) which has the primary aim of establishing and promoting more community projects on our land.

- introducing a right to buy to further sustainable development; and

I do not see how or why this will be necessary. Landowners like myself are business people and therefore I find it unlikely that an opportunity for sustainable development would be ignored by land managers. All opportunities have alternative opportunities associated with them, and the real question will be who and how is ‘sustainable development’ determined against it alternatives which might be preferred by the current land owner.

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

This is a very sensible move, but it is important that the uses are considered in relation to other land uses locally. Changing land use to duplicate an existing private commercial land use could ruin a local commercial business, so care must be exercised in changing land use, particularly when supported by public monies.
**Sporting rates**

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

This is a very broad brush approach and is ignoring that many landowners do not use their land for shooting in order to support and promote community use of land. The implementation of a shooting tax will encourage more land to be used for such activities and discourage many more community minded projects. Personally we have removed shooting from our land as we felt it was not a good fit with the extensive community use of woodland paths and mountain bike trails. These uses do not generate any income, but would be taxed as if they were? Many farmers take similar approaches. The small business rates relief would help many, but this in turn would penalise those who have invested in diversified used of old houses or buildings on their land. This approach is very in discriminatory, and will tax many who do not gain from the shooting rights on their land.

**Deer management**

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

Provided the educated views of the community are considered this will be a positive move, however the consideration of why deer management must be understood by all, and that it is not just a sport done for fun. Our own deer management is carried out by a SNH accredited stalker who only shoots injured, old or diseased deer.

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

Similarly to above this should be in collaboration of the land owner and an understanding of their needs for deer management

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

No objection, but the scale to which these are elevated should be reasonable level for the non-compliance

**Core paths**

- Clarifying the core paths planning process in relation to public access.

I welcome this, as a landowner with core paths and right-of way on our land and would welcome clearer processes, and we are working with our community to look at creating new paths for community benefit.

**Agricultural holdings**

- setting up a new form of agricultural tenancy (the Modern Limited Duration Tenancy);

I welcome this new tenancy form as a way of encouraging more land into the tenanted sector. Our own farms are tenanted under the LDT tenancy. I do not
though understand why there is still such restriction on shorter leases and why period 5-10 years is excluded from the tenancy types. It does not affect me directly, but if both parties are in agreement why can there not be greater flexibility?

- removing the requirement for a tenant to register a right to buy interest;

This potentially could cause many problems a there is not a proper register of tenanted land, and therefore may lead to significant problems over who has which land tenanted exactly.

- introducing a new power for the Land Court to order the sale of the holding to the tenant or on the open market where the landlord repeatedly breaches their obligations;

This is only right, but the onus appears to be only on the landlord, the tenant too has obligations and these should be as strictly sanctioned. Also there is potential for abuse of the system where a tenant runs a farm down, blames landlord, who is then forced to sell a now undervalued asset due to the abuse of the tenant buying who gains. It is not fair to always assume the landlord will be those at fault.

- changing the procedure for rent reviews and the test to be applied in determining the rent of an agricultural holding so it is based on the productive capacity of a holding;

This seems a very reasonable proposition, but the proof will be in the detail ensuring that this is workable and fair.

- expanding the class of persons to whom leases of agricultural holdings can be assigned or bequeathed or transferred to on intestacy (where no valid will is present), as well as streamlining the processes around the landlord’s objection to a new successor tenant;

This does not affect me directly due to types of tenancy we have, but I think the position should be addressed to allow those who were/are making their living from a holding can succeed even if not descendent, but this should not be assigned to those without valid claim to the holding. For example a nephew working farm with Uncle should be allowed, but nephew living in New Zealand and no connection to farm should not.

- providing for a 2 year amnesty period for tenants to seek approval of improvements to agricultural holdings so that compensation can be claimed at the end of the tenancy; and,

Fully support this

- Introducing a new procedure for tenants to object to any improvement proposed by the landlords if the tenant feels it is not reasonable for the productivity of the holding.

Fully support
Conclusion

My own feeling is that we should generate, support, promote and deliver new relationships between land, people, economy and environment in Scotland.

My own experience is that like me many landowners and estates already engage effectively within their communities and this successful approach can be built upon and delivered more widely.

Funding requires to be provided to deliver a project promoting the “working together for sustainable estate communities toolkit” to support effective community engagement.

A model for a network of Community Engagement Officers needs to be developed to support the implementation of the toolkit.

There needs to be recognition that connecting people with the land takes a number of forms and that recreation plays a key role in generating, supporting, promoting and delivering relationships between land, people, economy and environment in Scotland.

Further integration between the Land Use Strategy and Scottish Planning Policy is an essential requirement.

Local Authorities need to increase their dialogue with all sectors of the community during the Main Issues Report phase of the Local Development Plan process. Our own local authority have engaged well with local communities through their ‘Vibrant Communities’ department