Written submission from Dr Jean Balfour

General
This Bill gives people (organised as Committees) the right to buy land for sustainable development. Sustainable development is not defined. The public interest is not defined though from previous legislation it is clear that it is no longer a defined restriction.

In practice therefore there is no real protection against compulsory purchase of any land from existing owners. Even your house can be taken if the owner now lives in it as a tenant having passed the ownership to the next generation.

What this will do to the Scottish countryside and our farming and forestry enterprises can only be guesses, but it is likely to cause reduction in food and timber production, difficulties in investment and long term planning, and less care of the countryside.

Some Comments on the Bill

The Land Commission
In principle is this a necessary step? It will mean increased bureaucracy and costs?

9 (i) a (i) The Land Commissioners
It is suggested that land management should be added to the list.

13 (2)
It does not seem logical or sensible for the first chief executive to be appointed by Ministers rather than the Commission. It is important they have a person they have chosen and who they believe will carry out their policy. It is not even suggested there should be consultation (statements that such bodies always have their first chief executive appointed by ministers is not correct).

39 Eligible Land
It would appear that this is a right to buy any land except that included in 39 (2). This last should at least include a tenanted owner’s house. The owner may have passed his/her interest on to the next generation.

Though this section is called “right to buy land for sustainable development” there is no recognition that such acquisitions could undermine existing estate management which already provides sustainable development.

This section allows the compulsory acquisition of nearly all land. Such a step will create uncertainty in land management and investment and will not benefit the countryside. There is no definition of the public interest. This goes beyond any proposals set out in Committees of Enquiry on Land Reform.

42 Part 5 Community Bodies
In 2 (h) (ii) gives the right to pass the ownership if there is no Part 5 body to a charity selected by Scottish Ministers. Why should this be limited to such bodies rather than being passed to any good landowner. There must be concern if more properties end up in
the hands of such bodies as RSPB who don’t consult with members. Why this discrimination against landowners?

**Part 6 Deer**
Entry in valuation Roll of shootings and deer forests also fishings and fish counters. Exclusion to be repeated.

A number of estates run deer stalking as a business with some income. However deer being a wild animal, these are shot to protect other enterprises such as farming, forestry and nature conservation. It would therefore seem unreasonable that deer shot for management purposes should be rated. Otherwise deer control may suffer.

In the case of salmon fishings, the equivalent of rates are paid by those with salmon fishings to assist in the support of the District Salmon Boards. It would be a pity to lose this support.

Generally it would seem sensible not to reinstate these rates since it will impinge on management and be complicated to collect.

**Part 10 Agricultural Holdings**
Does the Government want a tenant sector? Increasing restrictions, increasing relatives who can succeed are not helpful. To be successful a tenant sector must allow succession other than close relatives who know the farm to be controlled by the landowner. Tenants on their side need a reasonable length of time on the holding and a fair valuation at way go. The proposals in this Bill are not a satisfactory way forward and can only reduce the tenanted sector.

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