Rural Affairs Committee 28 October 2026

# LAND REFROM BRIEFING by Andy Wightman

This is a short briefing to highlight some issues that deserve scrutiny in the context of the Committee's interest in land reform. I would be happy to elaborate in greater detail if that would be helpful.

Despite legislation dealing with land reform over the past 25 years, there remains much to do to modernise and democratise the way in which Scotland's land is owned and governed more generally. The following topics illustrate the extent of the challenge.

1. Landownership is becoming more concentrated - a trend that has been underway for 10-15 years. There is no effective legislation or policy framework in place to prevent this trend continuing. (1)

2. Scotland still lacks a modern, integrated land information system. One was promised in 2015 by the then Finance Secretary, John Swinney, to be completed by 2017, but it was never delivered. (2)

3. The Land Reform Review Group (LRRG) published its final report in May 2014. Despite a number of the Report's 62 recommendations, 37 were never implemented despite a commitment to undertake further work to explore them in 2015. A Freedom of Information request revealed that none of this work was taken forward. (3)

4. One commitment given by Scottish Ministers following the LRRG review was to complete the land register for public bodies by 2019 and for private owners by 2024. This was never achieved and not even Scottish Ministers have met the target set by themselves for all land under their ownership.

5. The Register of Controlled Persons in Land was introduced by the Land Reform (Scotland) Act 2016. Recent research, however has revealed widespread non-compliance. Reports of potential offences have been submitted to Police Scotland and the Crown Office but no prosecutions have been pursued. (4)

6. Lack of transparency remains an issue, particularly where land is owned in jurisdictions where there are no publicly available corporate registers. For example, Castle Tioram in Argyll appears to be owned by a struck off company in Saint Kitts and Nevis but it is not possible to determine whether this is the case or not and it is impossible to know who is responsible for a an important scheduled monument. (5)

7. The value of land transactions is being concealed by the failure to declare monetary considerations in the Land Register. Instead, a non-monetary consideration (Implementation of Missives) is being used to conceal the value of many high value land transactions. (6)

8. Common Good land remains governed by out of date legislation with communities having no means of regaining any meaningful control, over community owned land that had in many cases been owned for centuries but was removed from local control by the abolition of Town Councils in May 1975.

NOTES
(1) See https://andywightman.scot/2026/02/who-owns-scotland-2025/
(2) See https://davidhumeinstitute.org/latest-news/2025/9/5/press-release-siloed-land-information-is-still-holding-back-scotland
(3) See https://andywightman.scot/2024/05/the-land-reform-review-group-10-years-later/
(4) See https://andywightman.scot/2026/06/two-thirds-of-overseas-entities-fail-to-comply-with-transparency-law/
(5) See https://andywightman.scot/2026/09/who-owns-castle-tioram/
(6) See https://andywightman.scot/2026/02/rural-land-market-report-2024/