



PRESS RELEASE

For immediate release

1 March 2007

Caledonia Centre for Social Development

Community Right to Buy in Need of Radical Reform

The Caledonia Centre for Social Development has published its 6th Briefing paper on land reform. Written by Andy Wightman, author of *Who Owns Scotland*, and a leading authority on land ownership and land reform, it is entitled *The Land Reform (Scotland) Act 2003 - Part 2 the community right to buy. A Two Year Review*.

Download the Report at [Caledonia Briefings Centre](#)

In it, the author reviews the operation of the Community Right to Buy in the first two years of it coming into force (June 2004 - June 2006). The legislation gives communities the right to apply to register an interest in all land in Scotland outwith settlements of over 10,000. Once registered, the community will get the right to buy the land if it is ever put up for sale.

“Our key findings are that few communities are using the legislation, the Act is far too complex and that Ministers and officials are taking decisions in an ad-hoc and inconsistent fashion.” argues Wightman *“If the Community Right to Buy is really going to empower communities and change the pattern of landownership then it needs to be radically simplified and the powers of Ministers and officials curtailed.”*

The Review provides evidence of how the legislation has led to frustration among many community groups and how the involvement of Scottish Executive officials and solicitors is thwarting the intentions of Parliament. As the Review states,

“The reality is that the Act is such a complex, legalistic piece of legislation that it provides numerous opportunities for bureaucratic nit-picking and fine legal arguments. This keeps bureaucrats and lawyers in business but does nothing to empower communities. Such a situation has greatly diminished both the radical intent of the Act and its practical utility. What should have been a straightforward process delivering tangible benefits to communities has turned into a time consuming and impenetrable process of micromanagement by officialdom.”

The Scottish Executive have announced that they will review the Act during 2007 (see Notes to Editors). Wightman argues that, *“It is important that this review is an **independent** review as any exercise carried out by the Scottish Executive’s own officials will inevitably fail to address critical questions about whether Ministers should be having anything to do with the administration of this Act.”*

Note to editors

Andy Wightman is Director of the Land Programme of the Caledonia Centre for Social Development. He currently lives in Ethiopia and can be contacted on +251 11 618 2053 or be email at andywightman@caledonia.org.uk

In a Parliamentary Answer (S20-116699 answered 18 Jan 2007), Sarah Boyack stated that: *Ministers are committed to reviewing the 2003 Land Reform Act during 2007.*