

Ekklesia

Submission of in response to the first call for evidence from
Land Reform Review Group

January 2013

Introduction:

As an independent thinktank looking at the intersection of beliefs and values with politics and reform, Ekklesia welcomes the stated intent of the Scottish Government and the Land Reform Review Group to develop “innovative and radical proposals” on land reform to benefit the widest possible range of people and the environment in Scotland.

The task in hand is a major one. Inequity in the distribution and use of land in Scotland is an historic and serious issue. We are alarmed that half of the country is held by just 608 owners, while only eighteen owners hold 10% of Scottish land.

We agree with author Andy Wightman in his observation: *“For centuries male landed elites have made the very laws that today underpin Scotland’s system of landownership. They have fashioned them in a manner designed to suit their own interests. We live with the legacy of much of that law today unlike virtually every other European country where revolutions and democratic reforms empowered and democratised the commons.”*

In light of this distortion of power and ownership, we trust that the independent Land Reform Review Group will exercise the greatest caution in relation to the vested interests of a few wealthy landowners and their lobby organisations in relation to this consultation, and that it will encourage maximum transparency in the matter of evidence, debate and consultation.

We see meaningful land reform as being about:

1. A coherent national policy on occupation, ownership, governance and integrated land use
2. A comprehensive survey and audit of agricultural and forest ownership, as well as local common property rights
3. The centrality of the principles of subsidiarity and local ownership / control

4. A commitment to substantially reducing over-inflated current land values
5. Supporting community ownership and extending property rights beyond a small class of owners
6. The development of land policy to broaden and increase participation in decision-making at all levels
7. Reform of finance (notably business rates) and taxation to facilitate equitable ownership and challenge the monopoly of a few existing, wealthy landowners
8. Changes to land tenure laws aimed at providing proper security to owners and tenants alike
9. Transparency, simplification and clarification across the range of land information and registration issues, including access, use, planning, leasehold, management, crofting etc.
10. Policies to address the over-valuing of land, enabling ordinary families and communities to acquire land and live sustainably
11. Decisive action to support a community right-to-buy

In terms of specific reforms, we support:

1. The development of a Land Value Tax system
2. Legal rights for children to inherit land and property
3. Proper consideration of the development and extension of local governance below the level of Scotland's 32 councils in order to extend local control and competence over a range of resource and land issues
4. Integrated resource management agencies with appropriate democratically controlled licensing powers
5. A statutory definition of 'common good' and a formal register of common good assets
6. Establishment by law for the right of communities to manage common good assets and to reclaim title to common good land and assets
7. A statutory instrument for communities to register a right of pre-emption over any land
8. Extending business rates to all non-domestic property, including agricultural, hunting and forestry businesses
9. Review and extension of the right to buy provisions of the Land Reform (Scotland) Act 2003, devolving its implementation
10. Requirement for residency for all landowners
11. Introduction of a right to buy for agricultural tenants
12. Compulsory powers for land to be taken into community ownership when it can be shown to be in the public interest and/or in the interests of sustainable development
13. Substantial growth of the Scottish Land Fund
14. Reform of planning laws to encourage hutting and community ownership

15. A land agency, along the lines suggested by Community Land Scotland to facilitate land transfers to communities

Concluding comment:

We recognise that the principles, aims and policies set out above require considerable thought and discussion. At this stage in the Land Reform Review Group's schedule of work (first call for evidence), we are content to rest the 'headline issues', subject to further consultation and discussion.

About Ekklesia:

Ekklesia is an independent, not-for-profit thinktank which examines the role of beliefs, values and faith in public life. It advocates transformative ideas and solutions rooted in fresh thinking shaped by the quest for social justice, Christian nonconformism, and conversation among those of different convictions (religious and otherwise). We also look at political and cultural issues in society more widely, promoting new models of mutual economy, conflict transformation, restorative justice, community empowerment and theological reflection.

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