



## Land reform agenda in Scotland

- Land Reform Policy Group appointed in October 1997 and reported in January 2001.
- 6 land reform bills passed by the Scottish Parliament between 2000 and 2004.
- Included Land Reform (Scotland) Act 2003.



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## Land reform agenda in Scotland

- Post-legislative scrutiny of Act led to a further manifesto commitment in 2009.
- Land Reform Review Group appointed in July 2012. Reports April 2014.
- Streamlining and improving community right to buy in Community Empowerment (Scotland) Bill.



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## Community right to buy - 1

- Community right to buy in Part 2 of Land Reform (Scotland) Act 2003.
- A pre-emptive right for rural communities in Scotland to buy that land and bring it into community ownership.
- Rural communities (under 10,000 head of population) can register a community interest in land and have first option to buy that land when it comes up for sale. (willing seller)
- A registered interest lasts for 5 years (from date of approval from Scottish Ministers) and can be re-registered for a further period of 5 years.

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## Community right to buy - 2

- A statutory framework that sets out administrative processes and timescales.
- The statutory framework provides flexibility in the types of land and land assets that communities wish to register an interest (eg airbase to a small plot of land).
- The right to buy requires a willing seller. Does not force a landowner to sell the land.
- Landowner is still able to develop their land while there is a registered interest in it (subject to planning and other regulations).

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## Community right to buy - process

- Two stage process:
- (1) Registration of a community interest in land; (securing a registered interest in land which the community has an interest)
- (2) the right to buy; (purchasing the land in which a community has a registered interest).



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## Registered land

- Communities have been innovative in identifying land in which they have a community interest in.
- Land includes everything on the land .... buildings, water (lochs, streams, rivers)
- Registrations also on salmon fishings and mineral rights (except those to oil, coal, gas, gold or silver) which are owned separately from the land.

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## Registered land

- Agricultural land
- Estates
- Forest and woodlands
- Reservoirs
- Disused buildings (including lighthouses, former airbases, schools, churches, industrial premises)
- Community buildings.



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## Underpinning principles - 1

- Land is a key resource in rural communities. The life chances of people living in rural areas depend on how it is used.
- Overriding objective of land reform is to remove the land-based barriers to the sustainable development of rural communities.
- Key theme is the increasing diversity in the way that the land is managed and increased community involvement in the way land so as to ensure that local people are not excluded from decisions which affect their lives of their communities.

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## Underpinning principles - 2

- Sustainable development of the land which a community is interested in and of the community.
- The acquisition of the land is in the public interest. (ie the community's proposals for the land are in the public interest).



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## CRtB is about opportunities ...

- CRtB provides opportunities for rural communities throughout Scotland ...
- Opportunities to identify land and land assets that can make a real difference and shape a community's future development.
- Opportunities for rural communities to identify how they can make a difference to their future development.
- CRtB provisions provide opportunities to help communities prepare themselves for community land ownership ...

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## On the journey ... Knowledge and skills gained

### **Pre-registration and registration**

- Gets the community thinking about land and land assets – what would make a real difference and how?
- Brings members of the “community” (a community of place) together to discuss ideas and take them forward.
- What is the “community” – a geographical community and how should it be defined?
- Set up a community company limited by guarantee to take forward activities (identify personnel).

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## On the journey ... Knowledge and skills gained

### Registration

- Identifying the land and land assets to be registered
- Identifying the landowner.
- Developing indicative ideas for the land and land assets – how can they contribute to the social, economic and environmental sustainability of the community?
- Securing community support for the community's ideas and proposals (a petition). Getting the community involved and behind the proposals.

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## On the journey ... Knowledge and skills gained

### Right to buy

- Further development of proposals
- Secure community support for proposals (sharing information on the proposals and balloting the community)
- Secure Ministerial approval for the proposals
- Fundraising to secure the funds for the acquisition of the land and some development funding.
- Concluding the purchase of the land.

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## Achievements ...

- Provisions have been working for nearly 10 years.
- Success can be measured in different ways.
- Tangible and non-tangible impacts.
- Non-tangible include: increased community confidence; increased community cohesion; improving skills and knowledge; empowerment.
- Tangible include: bringing a community together to form a community company; to register a community interest in land or to purchase the land.

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## Tangible achievements - Statistics

	Total	Since May 2007	Since May 2007 in HIE area
No. community bodies formed under the Act	202	131	59
No. community bodies formed specifically under the Act	167	97	38
No. applications to register a community interest in land	164	91	35
No. applications to register a community interest in land – approved	110	83	34
No. community bodies making an application	88	58	24
No. applications to register a community interest in land still to be considered	1	1	0
No. applications where RtB been triggered	40	27	12
No. RtB applications rejected	2	0	0
No. applications where land acquisition has been successful	16	10	7
No. RtB applications currently proceeding	2	2	1

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## Scottish Land Fund

- Support for community purchases of land.
- Funding has been available through specific funds since 2001.
- Scottish Land Fund - (2001-2006) to support communities to acquire, manage and develop rural land.
- Programme developed into Growing Community Assets Programme (2006-2010), (2011-21014)
- Scottish Land Fund (2012-16).

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## Scottish Land Fund (2012-16)

- Manifesto commitment in 2011 to support the community ownership of land in Scotland.
- Scottish Land Fund is a £9 million, 4 year commitment.
- £1M in 2012-13, £2M in 2013-14; £3M in 2014-15; £3M in 2015-16.



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## Delivery

- Fund supports rural communities to become more resilient and sustainable through the ownership and management of land and land assets.
- Delivered by BIG Lottery Scotland and Highlands and Islands Enterprise. “Front door” through BIG.
- Scottish Land Fund advisers appointed to support community groups through the application projects.
- Awards over £100K decided by Scottish Land Fund Committee; Awards under this by a Management Committee.
- Short turn around period for decision on cases.

## Projects that can be funded - 1

- Puts communities in control of local land and land assets which are important to their economic, social and environmental development.
- Enables communities to manage local land and land assets well and deliver benefit for the whole community.
- Empower communities to realise the opportunities they see in local land and land assets to meet local needs.
- Deliver real community involvement and participation in land ownership and management.

## Projects that can be funded - 2

- Help communities realise the opportunities created by the Land Reform (Scotland) Act 2003
- Help create resilient and supportive communities where people take responsibility for their own actions and how they affect others.



## Awards

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| <ul style="list-style-type: none"> <li>• <b>Year 1</b> – 4 awards - £788,000 (£1M available)</li> </ul>  | <ul style="list-style-type: none"> <li>• <b>Year 2</b> – to date - 4 awards (£2M available)</li> </ul>   |
| <ul style="list-style-type: none"> <li>• Colintrave and Glendaruel Development Trust</li> <li>• Covesea Lighthouse Community Company</li> <li>• Coigach Community Development Company</li> <li>• Midlem Village Hall Committee.</li> </ul> | <ul style="list-style-type: none"> <li>• Mill of Galloway Trust</li> <li>• Huntly Development Trust</li> <li>• Castle Loch, Lochmaben Community Trust SCIO</li> <li>• North Harris Trust.</li> </ul> |

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(community right to buy)



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