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What are our land responsibilities?

Land Rights and Responsibilities Statement

- Required by Land reform Act 2016
- In drafting Statement Ministers must consider
 - observance of relevant human rights
 - promoting respect for internationally accepted principles and standards for land practises
 - equal opportunities
 - furthering reduction of socio/economic disadvantage
 - facilitating community empowerment
 - increasing diversity in land ownership
 - furthering sustainable development

What is it for?

- land for private good, or common good?
- greater the holding, greater the responsibility
- closest thing we likely to get to Government statement of land policy
- deliver culture change in land thinking and practises

Mostly know our land rights

Spread across statute

- Individual rights – access to roam
- Community rights – to buy
- Public rights – access land for public works
- Private – enjoy property

Know our obvious responsibilities

Obey laws

- planning
- environmental
- forest licenses
- responsible access
- etc

Been little dialogue on wider responsibilities
of landowners to society

Hitherto land principally a private good

Do what want with, within law

Are private owners only accountability to:

- self?
- family?
- shareholders?
- partners?

A formal Land Responsibilities Statement points to addressing wider societal land concerns in land

- Becomes a basis for future 'accountabilities'?
- Triggers a debate about what land responsibilities are?

So, what might our land responsibilities be?

CLS suggests progressive owners:

- optimise the land's productive use, without compromising conservation priorities
- further sustainable development
- promote sustainable economic growth
- act to fulfil peoples' human rights
- mitigate and do not contribute adversely to climate change
- Provide opportunities for others

Responsibilities? cont....

- contribute to achieving climate justice
- minimise the effects of flooding
- deliver greater bio-diversity
- protect and enhance the condition of soils
- improve water quality
- enhance local environments, having regard to scenic considerations
- contribute to achieving the sustainable development goals

Controversial or uncontroversial?

- currently not explicit
- what else might be responsibilities of owners to wider society?

Opportunity for community owners to lead national debate and set example?

Basis to help set goals for our land?

Basis to evaluate our performance?

What next?

Statement published this year

Draft includes - a “vision statement” that land should...

“..deliver greater public benefits and economic, social and cultural rights.”

Several “principles”, including:

- “build a fairer Scotland, promoting environmental sustainability, economic prosperity and social justice.”
- “a more diverse pattern of land-ownership..”
- “more opportunities for community ownership..”
- meet “high standards of ownership, management and use”
- transparency on who owns land.
- “community engagement in land decisions”.

Statement cont...

- Current draft little `stretch' to current practises and expectations
 - High standards of management?
 - Human rights
- Reviewed within 5 yrs
- Opportunity for national debate and progress
- Role for Land Commission to promote debate?

Thanks for listening!