

COMMUNITY* LAND SCOTLAND

The project was conceived and funded jointly by Inherit and Community Land Scotland, and it was developed and delivered by Inherit. Inherit seeks to help enable people to use their heritage – including their land heritage – to improve their lives. Community Land Scotland represents the interests of Scotland’s community land owners who collectively manage approximately 500,000 acres of land for community benefit.

The Research

The research is about how we define ‘landscape’, and how the way this is done affects people’s ability to develop as communities and to influence decisions about the land. The project is a response to concerns about the potential for landscape policy to act as a barrier to rural renewal in Scotland, and to efforts to address the ongoing depopulation of already sparsely-populated areas¹.

In the research, we considered a suite of laws, policies and practices dealing with the conservation and management of the ‘landscape’, ‘historic environment’ and ‘natural heritage’ dimensions of rural places. All of this is collectively referred to here as ‘landscape policy’, for convenience.

Landscape policy is a form of development intervention, in that it has the purpose of influencing decisions about the land and about change. We sought initial answers to three main questions:

What are the effects of current landscape policy on local communities and on their ability to develop in

sustainable ways?

To what extent are people able to participate in defining the characteristics and qualities of the land, and to shape decisions about conservation and its relationship with development?

What should be our objectives for the future in terms of community participation in defining the characteristics and qualities of the land, and in shaping and implementing conservation policies and practices? What paths might be followed in order to meet these objectives?

We interviewed a range of people in the community and the public sectors and conducted follow-up research on those interviews. We analysed relevant laws, policies, practice guidelines and practice reviews. We also investigated pertinent wider developments (e.g. in planning, land reform and community empowerment in Scotland and in conservation practice internationally).

What are the effects of current landscape policy on local communities and on their ability to develop in sustainable ways?

The research has provided a complex set of answers to this question.

The principles of sustainable development are already embedded in Scottish landscape policy, and some action has been taken to put these principles into practice. However, there are tensions within policy, summarised in the box below. These tensions have the potential to hamper development that is sustainable in the fullest sense of the term.

Tensions in Scotland’s approach to landscape

Principle

- A holistic approach to the local environment
- An openness to diverse views on what defines a place
- A concern to improve the quality of all places
- A desire to address conservation and development needs together
- The promotion of participation as a right

Competing principle or practice

- An approach that dissects that environment into parts
- The privileged position that is given to a narrow range of values
- A continuing drive to single out and protect ‘special’ landscapes
- A ‘fence and exclude’ conservation culture that treats development simply as a threat
- A tendency to see landscape matters as the preserve of professionals and institutions

¹ see www.communitylandscotland.org.uk/find-out-more/renewal_repopulation; www.hutton.ac.uk/sites/default/files/files/research/srp2016-21/RD3.4.1%20Note%20WP1-3%20web%20-%20published.pdf

Broadly speaking, these tensions reflect adherence to a post-War conservation ethic in the changed circumstances of the 21st century, when decisions about the land are increasingly expected to align with principles of sustainable development, participation and human rights.

When it comes to the perceived effects of landscape policy on communities, the evidence is mixed. There is concern about the potential negative effects that landscape policy – and particularly those aspects of policy relating to subjective perceptions of the landscape, such as its scenic or ‘wild’ qualities – might have upon a community’s ability to realise its development goals. Such concern appears to be particularly marked in relation to the Highlands and Islands.

However, the research indicates that landscape policy is also seen as having positive effects. It can help to place local decision-making within a wider framework, which is necessary for sustainable development. It can align with the ways in which people see their place. Also, there are cases where landscape policy is seen as having played an important role in stopping or mitigating development projects that might have been harmful to people’s interests, and where it is seen as creating economic opportunities for people.

To what extent are people able to participate in defining the characteristics and qualities of the land, and to shape decisions about conservation and its relationship with development?

While the research painted a mixed picture in relation to the first question, a clear conclusion was reached in

relation to the second: there is a significant participation deficit, and addressing this deficit is fundamental to implementing sustainable development and to progressively fulfilling people’s human rights.

There is a gap between the principle of participation – which is enshrined in some (but not all) aspects of policy – and the delivery of participation in practice. There is a strong sense of exclusion from the processes through which the characteristics and qualities of the land are defined and through which areas of land are designated and managed for the purposes of conservation.

This deficit is partly due to a lack of recognition of community voices regarding the land and to the privileged position that is given to a narrow suite of values. It is also due to poor relationships between communities and authorities, and to an embedded managerialist and process-driven culture that is geared to serve institutional needs and that acts to exclude people from decision-making.

The effects of the participation deficit are potentially profound. People feel locked out of decisions that affect their lives. This breeds a sense of insecurity and alienation, and it undermines people’s confidence, resilience and drive. This problem is more acute in some places than in others. In the north and west Highlands and the Western Isles, for example, this exclusion can be read as part of a longer narrative in which people’s lives have been determined by external interests.

What should be our objectives for the future in terms of community participation in defining the characteristics and qualities of the land, and in



shaping and implementing conservation policies and practices? What paths might be followed in order to meet these objectives?

The research has indicated a desire to address the participation deficit, both within the community and the public sectors. Three main paths forward were identified, although these are not necessarily mutually exclusive.

Path 1: Change in policy, institutional culture and practice

Public bodies have begun to experiment with greater participation in designation decisions, in the management of designated areas and in the assessment of landscape characteristics and qualities. Broadly speaking, the direction of travel here seems to be toward a two-track system in which national-level programmes remain largely institutionally-driven and participation opportunities primarily occur at the local level, e.g. through local designation systems or through initiatives relating to the management of designated areas.

While there is evidently a will to extend opportunities for participation, there are also a number of constraints that will hold change back. These include limited resources, a lack of participation expertise amongst landscape and heritage professionals and, seemingly, limited political appetite for the significant extension of participation in institutional processes.

Path 2: A 'modern approach' to designation and conservation

In its idealised form, this approach – called the 'modern approach' by one interviewee – brings conservation and development together, addressing multiple objectives at the same time. It is outcome- rather than process-driven. It develops and makes use of valuable landscape and heritage assets, while conserving them for the future. It functions through dialogue and cooperation, and promotes bottom-up decision making.

In Scotland, the modern approach is exemplified by National Parks, UNESCO Global Geoparks and Biosphere Reserves and (some) UNESCO World Heritage Sites. There are significant differences between these various designations – not least in terms of their legal standing – and each displays the ideal features of the modern approach to different degrees.

Path 3: Community-led characterisation of the land

We consider that institutionally-driven change will not be sufficient to address the participation deficit. Communities will need to take the lead in elaborating and promoting their views on what matters about the land from their point of view, and others will need to act to enable communities to do this and to ensure that communities can more effectively influence decisions about the land.

Any community-led process for defining the land should be appropriate to the community and the place. It should be determined to a high degree by the community itself, and it should benefit the community in tangible and demonstrable ways. It will take time, if it is to succeed in generating dialogue within the community and between the community and others. It should focus on social learning – on helping people to see the land from other points-of-view and on cooperating to produce shared understandings of the land.

Leadership and drive from within the community will be needed to deliver such a process. This role could be played by different types of community organisation, as appropriate to the circumstances of each community and place. The process should be led by a community organisation (or organisations) with legitimacy in the eyes of the community and the ability to secure local buy-in.

Significant challenges are likely to be faced in following this path. These include achieving good levels of inclusive participation, overcoming differences within the community and building a sense of common interest. They include the capacity of the community at large to participate and the capacity of community organisations to lead and deliver the process. They include securing a positive response to community-produced characterisations of the land from public bodies and authorities and from land owners in all sectors.

Recommendations

1: Scotland's landscape, historic environment and natural heritage policies should be rooted more strongly in the principles of sustainable development and of progressively fulfilling human rights.

Such principles are already promoted by Scottish planning and land reform law and policy, and by international treaties such as the *European Landscape Convention* and the *International Covenant on Economic, Social & Cultural Rights*. However, these principles are not yet embedded across the breadth of Scotland's landscape policy framework, and they do not drive sufficiently the practices through which that policy is implemented.

2: The social and economic consequences of designation should be considered both in the process of designation itself and in the subsequent management of designated areas.

This is already being done in some instances, such as in the designation of Marine Protected Areas under the *Marine (Scotland) Act 2010*. Consideration of the social and economic consequences of designation should be made a normal part of wider conservation practice.

3: Public bodies and authorities should act to promote the empowered participation of local communities in decisions to designate areas of land, and in the



management of designated areas.

Some action has already been taken to develop participation opportunities; this work should be extended. It is important that *empowered* participation is the objective, providing opportunities for people to feed into and influence decisions.

4: A culture change is needed to achieve empowered participation in landscape matters and to improve relationships between public bodies and authorities, on the one hand, and local communities, on the other.

More active, cooperative and sustained relationships between public organisations and communities would provide a solid foundation for addressing the participation deficit and ensuring that conservation is closely aligned with sustainable development and the fulfilment of human rights. A significant change in institutional culture is needed to achieve this.

5: The characteristics and outcomes of the 'modern approach' to conservation should be investigated more thoroughly. The principles and practices associated with this approach should be rolled out more widely, where

they are believed to promote sustainable development and community participation.

A greater understanding of this approach and its outcomes for people can be developed by investigating Scottish case studies and international experience. The wider delivery of this approach does not necessarily mean the creation of new parks and reserves – the principles and practices might be applied more broadly.

6: Community-led characterisation of the land should be enabled as a means of empowering communities to promote their voice on what defines the land and what matters about it.

Communities and community bodies will take the lead here. Wider community sector associations and networks can provide valuable support. So too can the public sector, through funding, access and information, and by engaging with communities with a view to helping them make their voice heard with influence. Conservation, development and other NGOs likewise can play an important enabling role.

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