

Dear Cabinet Secretary,

This letter is sent on behalf of a broad coalition of organisations and individuals united by a shared belief in the transformational power of land reform, for people and for planet, to shape a fairer, greener and more inclusive Scotland.

Land reform in Scotland is a journey, but the current pace and breadth of this journey will not deliver the change which Scotland's society, people and environment desperately needs.

We remain concerned that there is no long term, strategic approach to land reform and no coherent framework for reforming Scotland's land laws and policies, some of which are of considerable antiquity.

In particular we regret that on too many occasions in the past, commitments have been made and not delivered. These include consideration of many of the recommendations of the Land Reform Review Group, failure to take forward important reforms from 2003 on the law of the foreshore and seabed, failure to deliver ScotLIS as originally envisaged, and the abandonment of any public interest test or regulatory control over buyers of land in Scotland.

In the context of the current Bill we recognise that the Scottish Government has engaged positively with much of the progress made during Stage 2 of the Land Reform (Scotland) Bill. In particular, we welcome the alignment of key thresholds at 1000 hectares across measures such as the prior notification of sale, the transfer test and for Land Management Plan (LMP) provisions. We also recognise the introduction of recurring fines of up to £40,000 for breaches of LMP obligations and an onus placed on landowners to ensure community engagement informs the plan - all important steps toward ensuring the credibility and enforceability of the legislation. Similarly, the introduction of a 'lotting' mechanism to potentially break up large landholdings which are concentrating power in local areas is a welcome intervention.

It is important that these positive changes at stage 2 are maintained through stage 3 and into the regulations and guidance which support the Bill as it becomes an Act.

However, we must also express our concern that the legislation, as it currently stands, does not go nearly far enough to meet the ambitions of a truly transformative land reform agenda. This is essential in meeting wider government objectives of building community wealth and local economies, reducing inequality and poverty, improving health, addressing the housing crisis, restoring nature and fighting climate change, to name but a few.

Looking ahead, we welcome the opportunity to engage with the Government on a number of key issues:

- The extent to which landowners found to be in breach of statutory duties, such as those relating to LMPs, would still be eligible to receive public subsidies
- Ensuring LMPs are attached to the *land* rather than the individual owner, to ensure continuity of land management and community engagement
- The public accessibility of LMPs
- Guidance on the principles that will underpin LMPs
- Ensuring the concentration of power on islands is recognised
- Ensuring post-legislative scrutiny of the Bill to make sure it is meeting its policy aims
- Clarifications on what a contiguous landholding is in order to address local concentrations of power
- Shaping the guidance which will underpin lotting decisions and the centrality of the public interest

As you are aware, land ownership in Scotland remains among the most concentrated in the world and this will remain an issue even after the Bill. You recognised this in your speech during Stage 1 debate and advised that you are “committed to delivering ambitious proposals that will bring about greater fairness and equality of opportunity for our rural communities”<sup>1</sup>. Yet this legislation, and previous legislation from the Scottish Government, has not and seemingly will not go far enough to deliver this.

To fully unlock the transformative potential of land reform, bolder measures are needed. This could include the introduction of presumed limits on ownership, taxation reform, the full integration of urban Scotland in land reform legislation, stronger public interest safeguards including the assessment of incoming buyers and the introduction of compulsory sale orders to ensure vacant and derelict sites are brought into use and to free up land for housing.

Without such measures, we will miss a huge opportunity to build a system that serves public interest, supports communities and unlocks the potential for the land of Scotland to address pressing challenges - from housing and economic development to climate and social justice.

In your Stage 1 speech you recognised that many MSPs wanted the Bill to go further. This ambition is matched by this coalition and many people around Scotland. We look forward to working with you and MSPs across the chamber to ensure that the Bill is as impactful and meaningful as possible.

Yours sincerely,

Tara Wight, on behalf of the Landworkers' Alliance

Gavin Corbett, Ramblers Scotland

Thomas Widrow, Head of Campaigns for the John Muir Trust

Donna Smith, Chief Executive, Scottish Crofting Federation

Elizabeth Docherty, Director, Scottish Community Alliance

Josh Doble, Director of Policy and Advocacy, Community Land Scotland

Pauline Smith, Chief Executive, Development Trusts Association Scotland

Theona Morrison, on behalf of Scottish Rural Action

Kat Jones, Director at Action to Protect Rural Scotland (APRS)

Amanda Grimm, Policy Manager at Community Energy Scotland

Pete Ritchie, Executive Director, Nourish Scotland

Lukas Bunse, Policy and Knowledge Lead, Wellbeing Economy Alliance Scotland

Max Wiszniewski, REVIVE Coalition

Shivali Fifield, Chief Officer, Environmental Rights Centre for Scotland

Christopher Nicholson, Scottish Tenant Farmers Association

Andy Wightman, independent researcher and land reformer, former MSP

Peg Shaw, Community Support Specialist, Fauna & Flora