

Land Reform (Scotland) Bill 2025

Stage 3 amendments and debate

October 2025

Summary

Note: Community Land Scotland's briefings and suggested amendments are focused on Part 1 of the Bill relating to Land Reform.

Community Land Scotland have shared views on the Land Reform (Scotland) Bill via [pre-legislative consultation](#), [Stage 1 written](#) and [oral evidence](#), [supplementary Stage 1 evidence](#), a [Stage 1 briefing](#) and [Stage 2 amendments](#) and [briefings](#) for the Net Zero, Energy and Transport Committee. We have consistently engaged with land reform and community ownership issues since our inception in 2010 and view significant land reform as the vital precursor to building a more equitable, sustainable and just future for Scotland.

CLS welcome this Bill as a step forward for land reform legislation, while the Bill does not go far enough to meaningfully intervene in the land market and change landownership patterns, the introduction of lotting provisions, Land Management Plans (LMPs) and prior notification for communities should be positive interventions. It is important that this Bill is passed, with the amendments highlighted below to increase its scope and impact. This includes a more expansive definition of contiguous landholdings so that local land monopolies are addressed (amendments 266/267/268/281/282/283/287/288/289 in the name of Mark Ruskell) and clearer public interest considerations to influence LMPs and lotting decisions (261 and 187 in the name of Rhoda Grant).

It is also essential that the Scottish Government moves quickly to develop the robust guidance and secondary legislation underpinning the Bill. Parliamentary oversight of the guidance will be vital, and so too will moving swiftly to implement the Act so that the pressing land issues facing rural Scotland can begin to be tackled.

This briefing sets out CLS's view on the Bill, amendments and suggests key areas for debate at Stage 3.

Introduction: The purpose of land reform

Land reform has long been a Scottish Government objective. One that seeks to deliver the public interest in land (and how that land is owned and managed), with a focus on diversification of landownership. However, research has recently shown that landownership is further

concentrating in Scotland, with now 421 landowners owning 50% of the private rural land, despite several pieces of land reform legislation.¹

This growing concentration has seen the rapid emergence of very significant landowners, often called Green Lairds, who are acquiring land for industrial forestry, renewable energy or carbon credit projects. This trend has seen Gresham House Ltd, an asset management company, become Scotland's second largest landowner through an aggressive acquisition strategy.² Similarly Oxygen Conservation has become a major landowner in Scotland in the past four years with a similarly aggressive land acquisition strategy and a business model based on carbon credits. In both cases serious questions have been raised about their transparency, community engagement and wider contribution to the Scottish rural development. This Bill may offer an opportunity, albeit limited, to ensure greater transparency and engagement from landowners such as this, whilst also presenting a chance to depress land prices and make land more accessible for communities and local businesses.

Land reform is a pressing issue for the Scottish Parliament to address. **Who owns land in Scotland has a direct impact upon the opportunity for economic development and wealth generation, and how the benefits of that are spread or alternatively extracted to benefit only a few.**³ Scotland's concentrated pattern of landownership has resulted in inflated land prices, depleted biodiversity, an unsustainable industrial forestry sector, an inequitable food system and an agricultural sector which is growing more consolidated and stifling new entrants.

More people and local communities owning land in Scotland will ensure that more democratic and more resilient decisions about land management are made. This will enable more of the people of Scotland to be involved in the significant land use change which is needed in coming years to address the multiple crises of climate, biodiversity and growing inequality.

Community Land Scotland's view on the Bill at Stage 3

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 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'

¹ [Who Owns Scotlands 2024 - Land Matters](#)

² [The £12 million farm sale and the £14 million lease - Land Matters](#)

³ [Investigation into the Issues Associated with Large scale & Concentrated Landownership in Scotland, Scottish Land Commission, March 2019](#)

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.

In the Stage 1 debate there was a broad consensus across that the Chamber that the Bill needed to go further to address land inequalities in Scotland. This ambition is matched by many people around Scotland. Independent research by the Diffley Partnership has shown that 80% of Scots believe the Scottish Government should do more to encourage community ownership, 78% of Scots support requiring large landowners to meet climate and nature targets, 67% back a land tax for large estates and 59% agreed Scotland would benefit from more diverse land ownership.⁴

We suggest that the principles of the Bill should be supported and the Bill should be passed. However, **Parliament should acknowledge and state on record that further land reform legislation will be needed in the near future.** Future legislation will need to provide further scrutiny over existing landownership, explore taxation to deliver land reform objectives as well as establishing a public interest test on buyers of land in Scotland, as was much debated during the passage of this Bill.

Community Land Scotland position on core amendments

There are many amendments lodged at Stage 3, this briefing does not cover all of them but only the key ones related to CLS's interventions on the Bill. We note that the Scottish Government have lodged many clarifying amendments which we are broadly supportive of.

The key amendments from the CLS perspective are listed below, in debating order, and indicates the CLS position on them.

Group 2: Obligations to consider the public interest

The public interest in land reform has been a central point of discussion within this Bill. Amendment 261 ensures LMP guidance will be informed by clear public interest considerations. Amendment 76 seeks to introduce the type of [public interest test proposed by the Scottish Land Commission](#), with a focus on the incoming buyer, their plans for the land and how that

⁴ [Land Reform: What Scotland Wants](#)

intersects with the public interest. Amendment 76A would seek to place a presumed limit on landownership over 1000ha unless that ownership is in the public interest.

- Strongly supports amendment 261 in the name of Rhoda Grant
- Strongly supports amendment 76 and 76A in the name of Mercedes Villalba

Group 3: Power to impose obligations in relation to large land holdings

These amendments will ensure guidance will be produced to help shape LMPs (269) and ensure that landowners completing LMPs also need to provide ownership data to the Registers of Scotland (132).

- Supports amendment 132 in the name of Ariane Burgess
- Supports amendment 269 in the name of Michael Matheson

Group 4: Land Management Plans

These amendments provide greater clarity over how LMPs will be made accessible and provide opportunities for new owners to engage with existing LMPs.

- Supports amendments 256/257/258 in the name of Bob Doris
- Supports amendment 22 in the name of Edward Mountain

Group 5: Obligations relating to land owned by community bodies

These amendments place unnecessary restrictions on incoming community landowners and do not consider that other types of landowners may purchase lots over 50ha from a landholding that had previously had a land management plan. As such it is a prejudicial amendment which does not deliver any clear benefit.

- Rejects amendments 252/259/277/366 in the name of Brian Whittle

Group 6: Land to which Part 1 of the Bill applies

These amendments from Mercedes Villalba seek to reduce the large landholding threshold to 500ha from 1000ha to include a greater number of landholdings. This would still be a proportionate number of landholdings, meaning that 2,025 landholdings rather than c.700 will be under a requirement to produce LMPs and 17 rather than 8 transactions for a transfer test.⁵ Many of the landholdings which would be caught by the lower 500ha threshold will already be producing LMPs, as is already good practice amongst conservation organisations, public forestry, responsible private landowners and community landowners. In addition, this level still

⁵ [Financial Memorandum accessible \(parliament.scot\)](#) and [Advice on Part 1 of the Land Reform Bill from the Scottish Land Commission](#), p.6.

protects the overwhelming majority of ‘family farms’ as 96.4% of agricultural holdings in Scotland are under 500 hectares in size.⁶

Amendments from Mark Ruskell seeks to expand the definition of contiguous landholding to address the local concentration of power, stemming from monopoly landownership in a geographic area. It would be reasonable to build upon existing understandings of what constitutes ‘local’, an existing statutory boundary, such as an electoral Ward, should be used. This would mean landholdings held by the same landowner which collectively exceed 1000ha within the same, and adjoining electoral Wards, would fall under the provisions.

- Strongly supports amendments 6/7/8/9/10/11/1224/25/26/27/47/48/49/50/53/55/56/57/58 in the name of Mercedes Villalba
- Strongly supports amendments 266/267/268/281/282/283/287/288/289 in the name of Mark Ruskell
- Supports amendment 198 in the name of Mairi Gougeon and other associated amendments on connected persons

Group 8: Powers to modify

These amendments will provide further parliamentary scrutiny over the vital regulations which underpin this legislation.

- Supports amendment 275/284/304 in the name of Rhoda Grant

Group 9: Community rights to buy (CRtB)

These amendments seek to improve the operation of CRtB, both existing and as developed by this Bill.

- Supports amendment 279 in the name of Michael Matheson
- Supports amendment 286 in the name of Mark Ruskell

Group 10: Lotting decisions

These amendments seek to strengthen the lotting provisions through clearer public interest guidelines for the guidance which will underpin decisions. Amendments 392/293/294 will enable the Commissioner to share the lotting report with local communities who may wish to purchase lots and make a more informed decision.

- Strongly supports amendment 392/293/294 in the name of Ariane Burgess

⁶ [Written question and answer: s6w-10506 | Scottish Parliament Website](#)

- Strongly supports amendment 187 in the name of Rhoda Grant
- Strongly supports amendment 303 in the name of Michael Matheson

Group 11: Energy and land use

This amendment seeks to ensure community rights for the ownership or leasing of land used for energy developments, particularly when that land is publicly owned.

- Strongly supports amendment 207 in the name of Ariane Burgess

Group 12: Sunset and review of Act

At Stage 1 and 2 there was widespread support for mechanisms to review this Bill after enactment. Amendment 89 provides the framework for such a review, but amendments 89A – G ensure that the Review will be thorough and cover the key areas of the Bill which might act as loopholes and reduce the intended impact of the legislation.

- Strongly supports amendment 89 in the name of Martin Whitfield
- However, the following amendments 89A/B/C/D/E/F/G to no.89 must all be passed to ensure the Review of the Act is thorough, purposeful and effective

Group 13: Land and Communities Commissioner

This amendment seeks to ensure that the new Commissioner is aligned with the wider policies and working of the Scottish Land Commission and enables them to conduct public consultations on relevant issues.

- Strongly supports amendment 310 in the name of Michael Matheson

Group 14: Taxation and rates to be paid on land

CLS considers that the various tax arrangements that apply to land, land ownership and land management are vital public policy tools to be applied in pursuit of policy objectives. There is a need for these to be comprehensively reviewed and reformed to take forward the land reform agenda. These two amendments represent a positive start - but this must also be an issue that should be addressed by ongoing land reform discussions and further legislation.

- Strongly supports amendments 311 and 316 in the name of Ross Greer

Group 15: Functions of the Land Commissioners

The Bill offers an opportunity to refresh the functions of the Land Commissioners to ensure that they are up to date for the land issues facing Scotland. This includes natural capital issues, depopulation and the scale and concentration of landownership.

- Strongly supports amendment 312 in the name of Ariane Burgess
- Strongly supports amendment 313 in the name of Michael Matheson

Group 17: Private purpose trusts

This amendment seeks to close a loophole around private purpose trusts which enable the anonymous holding of assets without having to disclose a beneficiary. They allow for assets to be made “ownerless” and thus inaccessible (or at best difficult to access) for creditors, taxation requirements or government regulations.⁷

- Strongly supports amendment 208 in the name of Rhoda Grant

Group 18: Licensing: land on which certain birds may be killed or taken

This amendment seeks to clarify that the new s.16AA licences have to apply to the whole (contiguous) landholding, where wildlife and animal welfare offences may take place, and not simply those parts where shooting occurs. This was the original intention of the 2024 Act - and this amendment restores this intention by removing an apparent loophole that has been identified since that Act was passed. CLS supports this amendment as management of land in accordance with the law is in the public interest and the interest of communities.

- Strongly supports amendment 317 in the name of Mark Ruskell

This is an important opportunity to produce a Land Reform Act which can meaningfully support further community purchases, increase transparency of land management and ownership and help ensure landownership delivers in the public interest.

We encourage MSPs to support the amendments detailed above and to support the principles of the Bill.

Key areas of discussion for the Stage 3 debate

In the Stage 3 debate we would welcome MSPs highlighting the following areas:

- The public interest in land reform has been a central point of discussion within this Bill, although the Bill does not contain the type of public interest test on buyers proposed by the Scottish Land Commission. In light of this, Members may wish to **ask the Cabinet Secretary whether the Scottish Government will confirm that a public interest test on buyers will be an important tool for reforming landownership in Scotland?** And, further, members may wish to indicate support for such a test in further land reform legislation in the next Parliament.

⁷ [For what purpose? Why Scotland's new trusts law is bad for transparency | Transparency International UK](#)

- During Stage 2 the Cabinet Secretary agreed with the pressing need for land reform but said that there was not enough evidence to introduce measures to address the issue of concentrated ownership on a national scale. [Community Land Scotland have produced a briefing \(which was shared with the NZET Committee\) setting out the research produced by the Scottish Land Commission](#) which identifies the impact on equality and economic growth from concentrated landownership, **will the Cabinet Secretary confirm that the Scottish Government is committed to reducing the concentration of landownership on a national scale?**
- The Scottish Government have had a commitment to urban land reform since the 2015 Community Empowerment Act and the 2016 Land Reform Act. This Bill has explicitly not included Scotland's towns and cities within its scope. **Can the Cabinet Secretary confirm that the Scottish Government remains committed to reforming the damaging landownership patterns in Scottish towns and cities which results in vacant and derelict sites, closing high streets and an urban housing crisis?**
- Monopoly landownership is often more pronounced in an island setting, where a landowner of less than 1000ha can exert a lot of influence. **Why has the Scottish Government chosen to ignore islands as a distinct category within this Bill?**
- During Stage 2 discussions the Scottish Government had committed to working on a stronger definition of 'contiguous landholdings' than the 250 metres introduced at Stage 2. **Why have the Scottish Government abandoned their commitment to a wider contiguous threshold? And do they accept that issues of localised monopoly power, such as around Kenmore with Discovery Land Company purchasing more and more land, will not be addressed?**
- At Stage 2 the Scottish Government had supported the principle of using landowner's access to public funds as a means of ensuring compliance with this Bill. **Will the Cabinet Secretary confirm that the Scottish Government will use their powers within the Agriculture and Rural Communities Act to restrict public funds to landowners in breach of obligations within this Bill?**
- Reforms to taxation have been highlighted by the Land Commission and independent thinktanks as one of the most effective means of achieving land reform outcomes. **Can the Cabinet Secretary commit to the Scottish Government introducing taxation changes to deliver land reform outcomes in the future?**
- The Scottish Land Fund has been an essential means of funding community ownership and land reform since its inception. As the SLF enters its pre-election pause, it is estimated that there are about 150 projects waiting to request funding, with an estimated capital request value of £23million. **Will the Cabinet Secretary commit to supporting an interim fund for 2026 to ensure this pipeline of projects can survive? Will the Cabinet Secretary also confirm support for a strengthened Land Fund in the next Parliament?**

- The review of Community Right to Buy legislation is a welcome intervention from the Government. Although the timing of the Review is unfortunate, as it will be reporting next year rather than being dealt with in this Bill. **Will the Cabinet Secretary commit to their being a legislative vehicle in the next Parliament to ensure that the findings of the Community Right to Buy review will be enacted?**
- Although this Bill is only a step in the journey of land reform in Scotland, and further legislation will be needed, it is vital that the provisions within this Bill are enacted speedily, and the extensive guidance associated with the legislation is produced as a matter of urgency. Parliament need to see if the mechanisms within the legislation can be delivering the land reform outcomes intended and can start to address the considerable challenges that concentrated private ownership are creating in rural Scotland. **Will the Cabinet Secretary commit to a timetable for the creation of guidance and the Act coming into force?**

About Community Land Scotland

- Community Land Scotland was established to provide a collective voice for community landowners in Scotland.
- We have 140 member organisations across Scotland, ranging from community landowners of major crofting estates in the Western Isles to inner city community hubs in diverse communities.
- We believe that we cannot create a more socially just Scotland without addressing the issue of concentrated land ownership, with the growth of community land ownership a key part of developing a more diverse land ownership pattern
- We believe that communities should have the opportunity to lead development in their areas and an important way of achieving this is the democratic ownership of local land and assets.
- We are a company limited by guarantee with charitable status. We are members of the [International Land Coalition](http://www.international-land-coalition.org), which seeks to support community land rights and land reform movements around the world.

Contact: Dr Josh Doble josh.doble@communitylandscotland.org.uk Mobile: 07940 993 555