



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

OUR STRATEGIC PLAN

2020 to 2023



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Loch an Eilein, Cairngorms National Park

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FOREWORD

Scotland's shared national focus over the coming three years will be recovery and renewal following Covid-19, and this strategic plan responds to that challenge.

This plan sets out how we will support a fair and green recovery to a 'wellbeing economy' (see below), helping to create a Scotland which:

- Promotes inclusive economic growth
- Reduces inequality
- Supports climate action and a just transition
- Empowers people and communities to bring about positive change.

Even before Covid-19, Scotland had started to redefine what success means to us as a nation, leading a shift towards a wellbeing economy. This means an economy in which people's quality of life and wellbeing is as important as GDP (gross domestic product), which measures the size of the country's economy. The Scottish Government's economic strategy is clear in giving equal importance to tackling inequality and stimulating economic competitiveness. A wellbeing economy aims to achieve a fair distribution of wealth, health and power.

This decade must also see significant shifts to meet Scotland's ambitious climate targets for 2030, to be on track for a net zero economy by 2045. Changing the way we use land is key to meeting these targets. As part of a just transition, we must meet the pace and scale of change needed and make these changes in ways that are fair and create economic opportunities.

At the same time, Scotland will be dealing with the implications of the UK's exit from the European Union, including changes in environmental governance frameworks, trade, and looking beyond the Common Agricultural Policy – all of which may have significant effects for land use and land markets.

Scotland's recovery plans give us an opportunity for change, and bold action is needed to transform the nation's economy. The ways we own and use land are central to our national ambitions for climate action, improving infrastructure, regeneration and growth, and to giving regions, cities, towns, communities, and individuals the power to bring about change. This strategic plan focuses on where land reform can make the biggest difference to encourage change, recovery and renewal.



Glasgow Commonwealth Games Athletes' Village © Tom Manley



Andrew Thin
Chair



Hamish Trench
Chief Executive

WHY LAND MATTERS

Land matters because we all use and need it. The way we own and use land influences many parts of our lives:

the price and availability of housing, our access to greenspace, effects of derelict sites in the heart of our communities, our ability to meet our climate targets, and whether people have the means and confidence to build businesses and communities.

We have a fixed amount of land, but the list of demands on that land is ever increasing. We need to share the benefits from Scotland's land more widely across our growing and changing population.

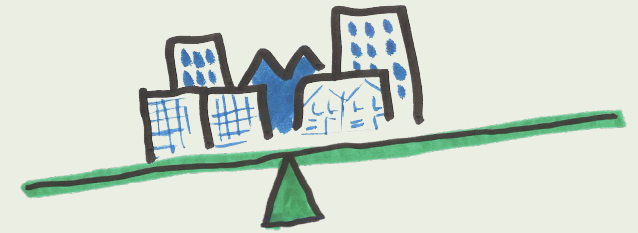
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Land, the economy and inequality

Land is central to Scotland's economy, and to our economic recovery from Covid-19. We must make better use of our land as a resource to deliver value for the people of Scotland. Alongside employment and investment, land has a vital role in driving a productive economy. Job and investment markets are regulated and regularly reformed, but there is a pressing need to modernise our land markets, the ways we value and exchange land rights between parties.

How to make the most of our land – a fixed resource – is essentially an economic question. The fixed location of land means it is possible for the people who control it to earn a higher return than they would be able to achieve in a competitive market. This has led to an increasing concentration of wealth in society leading to poorer social and economic outcomes.



Markets which work efficiently deliver real benefits for society. But market failure is widespread, with land being sold for much more than the economic value or not being sold at all due to low land values. Without reform, Scotland will not be as successful as it could be. We can make markets work better, improving their efficiency and fairness, by looking at where they are failing and taking action to create and share value that would otherwise be lost.

It is now widely recognised that inequality has reached a level that is affecting economic growth. Dealing with inequality is important for economic as well as social reasons – putting land back at the heart of our economic model is an effective way to do this.



Land and human rights

Scotland's land reform programme is rooted in a human rights framework. We must consider property rights – a critical part of our economy – alongside the public interest in realising economic, social, and cultural rights.

The six principles in Scotland's [Land Rights and Responsibilities Statement](#) set out how the relationship between land and people should help achieve rights, share responsibilities and benefits among a wider range of people.

If the ways we own and use land provide – rather than restrict – opportunities for more people to benefit from good quality housing and environment, employment, economic activity and empowered communities, this shows we are making progress in achieving the economic, social and cultural human rights which the Scottish Parliament has put at the heart of Scotland's approach to land reform.



Land and climate change

Land use is key to meeting Scotland's ambitious climate targets. The UK Committee on Climate Change sets out the critical role of land use, particularly in relation to creating woodland, restoring peatland and creating green infrastructure, and identifies the opportunity for Scotland to lead and reform in the move to a net zero economy. Some of this will require a change to the way land is used, some of it will require innovation in business practice, and

some of it may require new governance arrangements to secure the public interest in the way land is used.

As with any period of change and transition, new risks and opportunities will arise, as do new questions about who benefits and who is able to influence change. We shall be ready to implement Scotland's Land Rights and Responsibilities Statement to guide a just transition to meeting climate targets.

LAND REFORM AND THE SCOTTISH LAND COMMISSION

Land reform means making changes to the framework of land rights, ownership and use, and the way land markets work. It is about changing laws and policy, as well as culture and practice. Land reform is relevant to all of Scotland's land and people, in both urban and rural areas.

The way we own and use land must keep pace with changing needs and expectations. This is particularly relevant at times like this when our society and needs are changing rapidly.

Scotland's leadership in land reform is internationally recognised. Over the last 20 years the Scottish Parliament has delivered an ongoing series of reforms to modernise land ownership and broaden the distribution of benefits from Scotland's land. Land reform is a continuous process and there is more to do. The Land Rights and Responsibilities Statement published by the Scottish Government in 2017 provides a powerful framework to guide this reform.

Who we are and what we do

We are the Scottish Land Commission. Our role is to stimulate fresh thinking and change in how we as a nation own and use land, and to advise the Scottish Government on an ongoing programme of land reform. As well as providing advice and recommendations for law and policy, we provide leadership for change in culture and practice.

We are a non-departmental public body, set up in April 2017 by the Land Reform (Scotland) Act 2016 (the Act). Our board is made up of five Land Commissioners and one Tenant Farming Commissioner, all appointed by Scottish Ministers and supported by a small team of core staff. The Land Commissioners' and Tenant Farming Commissioner's statutory functions are set out in the Act.

This is our second strategic plan. Our first Strategic Plan, 'Making More of Scotland's Land,' was approved by Ministers in September 2017. Over the last three years we have delivered a substantial programme of research and public engagement, making recommendations for significant changes in law and policy, and promoting more immediate changes in culture and practice.

Our work has provided significant evidence and insight into the reforms that will support Scotland's economic recovery and renewal. The focus of this plan for the next three years is guided by our work and findings to date, together with stakeholder and public engagement.



The Land Commissioners: (left to right) Megan MacInnes, Professor David Adams, Andrew Thin (Chair), Dr Bob McIntosh (Tenant Farming Commissioner), Dr Sally Reynolds and Lorne MacLeod

OUR STRATEGY

Our vision

'A fair, inclusive and productive system of ownership, management and use of land that delivers greater benefit for all the people of Scotland.'

Our outcomes

We work to achieve the following outcomes:

1

Scotland's land is owned and used in ways that are fair, responsible and productive

2

More of Scotland's people are able to influence and benefit from decisions about land

3

The way we own and use Scotland's land creates public value and economic wellbeing

We achieve these outcomes by focusing on change in three ways:

Reforming land rights

Embedding responsible land ownership and use

Reforming land markets

We contribute to

The outcomes set out opposite contribute to the following Scottish Government national performance framework outcomes and United Nations sustainable development goals

Scottish Government national performance framework outcomes:



Economy



Environment



Communities



Human rights

United Nations sustainable development goals:



Sustainable Cities & Communities



Reduced Inequalities



Climate Action



Life on Land



Decent Work & Economic Growth

What we will deliver

This section sets out our objectives and what we will deliver over the next three years.

Reforming land rights

Our objective:

to reform the way land rights and ownership are controlled to drive economic, social, and environmental value, strengthen community resilience, and reduce inequalities.

The way land rights are organised influences the distribution of power, wealth, resources, and benefit across much of our economy. Scotland's Land Rights and Responsibilities Statement aims to make sure more people can benefit from land rights, helping to achieve wider economic, social, and cultural rights. An effective framework of land rights and ownership is central to empowering communities and supporting a resilient and productive economy.

As well as addressing monopoly power and supporting increased community ownership of land, there is a need to look at new governance models that can achieve greater benefits. Our review of international experience points to opportunities for new models of shared control and wider individual ownership.

We will	Progress milestone
Encourage a more diverse and productive pattern of land ownership	Publish policy proposals
Identify new governance models that widen the range of people who will benefit from land rights and lead to greater productivity	Publish practice guidance and case studies and engage with land owning sectors to support new models
Address the human rights relationship between property rights and achieving economic, social, and cultural rights	Publish expert opinion and analysis

This work will contribute in particular to Scotland's ambitions for repopulating rural areas, providing land for housing and infrastructure, economic recovery and renewal, community wealth building and community land ownership.

Embedding responsible land ownership and use

Our objective: to put accountable and responsible approaches at the heart of land ownership and use.

We can achieve a lot through supporting people and organisations to make decisions about land ownership and use in ways that help to achieve the Scottish Land Rights and Responsibilities Statement principles. We will continue our focus on driving non-statutory change and help people and organisations to implement in practice the Land Rights and Responsibilities protocols. We will draw on this experience and evidence to advise Parliament on the scheduled review of the Land Rights and Responsibilities Statement, and whether further statutory measures are needed.

The way land is used will change over time and the pace of change is likely to increase as result of work to meet Scotland's climate targets and economic recovery. It is even more important that decisions about land are inclusive and accountable, take account of the views of those they affect, and help achieve outcomes that are in the public interest.

The Tenant Farming Commissioner will continue to support good relationships between agricultural landlords and tenants, promoting responsible conduct through Codes of Practice and guidance. The experience of delivering the Tenant Farming Commissioner's functions will also inform our wider work to embed land rights and responsibilities in other land use sectors.

We will	Progress milestone
Help people and organisations to adopt the Scottish Land Rights and Responsibilities Statement principles by supporting good practice	More people say they are involved in and influence decisions about land
	Increased use of Land Rights and Responsibilities Protocols
Look at ways to further include land rights and responsibilities in public policy and in responsible business conduct across all relevant sectors	Public bodies reflect the principles of the Land Rights and Responsibilities Statement in their policies and operations
	Provide advice to Government to inform five-year review of Land Rights and Responsibilities Statement
Support a better-functioning system of agricultural tenure through the work of the Tenant Farming Commissioner	Reported satisfaction rates of value delivered through Tenant Farming Commissioner functions

This work will contribute in particular to Scotland's ambitions for empowering communities and promoting human rights, supporting changes to the way land is used in the move towards a net zero economy. It underpins the benefits that communities and the economy will gain from an effective balance of land rights and responsibilities.



Reforming land markets

Our objective:
to improve the efficiency and equity of land markets to support a fair and productive economy.

Effective markets are well regulated and open, involve a wide range of people, and have few barriers that prevent people from getting involved. As Scotland rebuilds a stronger economy after the Covid-19 pandemic, reforms to make sure land markets work effectively to create public value will become even more important. Without reform, Scotland's land will not create the success it could.

Land values are an important factor for many of the issues land reform aims to deal with, particularly in the way they affect how land is used productively and how more people can benefit from owning or using land.

We will examine the role of land in creating and sharing public value, provide reforms to unlock greater economic activity, and encourage owners to use land in ways that benefit society. We expect tax and fiscal policy to be a key focus for the Government in relation to both public revenue and encouraging changes in behaviour.

We will	Progress milestone
Identify changes to the tax system to support recovery and renewal, particularly in relation to town centre regeneration, promoting active land use and diverse ownership	Establish expert advisory group
	Provide advice to Government on options for tax reform
Review approaches to land valuation, including the factors that influence the difference between market values and economic value, and factors that are likely to influence land values in the future, particularly as we move towards a net zero economy	Stakeholder engagement, publication of discussion papers and practice guidance
Identify practical options for reforming land markets to ensure land is better used in the public interest	Provide recommendations to Government

This work will contribute in particular to Scotland's ambitions for green and inclusive growth, a just transition to a net zero economy, rural and urban regeneration and infrastructure delivery.

HOW WE WILL DELIVER THIS STRATEGIC PLAN

Our role combines leadership and culture change with statutory functions to review and advise on changes to law and policy.

These individual elements of our role go hand in hand, and ongoing reform will require a package of changes in practice as well as statutory measures. If culture change alone is not enough, we will recommend changes to law.

Our work will be based on our commitment to leadership, openness and engagement. We will involve people widely to help us understand why land matters to them and to Scotland, and to help stimulate fresh thinking in the programme of reforms. We will be open in our work, and will look to challenge and be challenged, and help a wider range of voices to be heard.



We will deliver our strategy by doing the following:



Researching and reviewing

We will provide evidence and analysis, which will lead to advice and recommendations to Scottish Ministers, Parliament and stakeholders



Leading change in practice

We will provide clear expectations and support to help people and organisations implement the Scottish Land Rights and Responsibilities Statement principles



Involving others and forming strategic partnerships

We will involve the public and stakeholders in our work and build strategic partnerships to increase the impact of our work



Supporting the Tenant Farming Commissioner

We will deliver the Tenant Farming Commissioner's statutory functions as part of our organisation

Programme of work

Our programme of work ([Annex 1](#)) sets out the work we will do to deliver this strategic plan. It identifies the work we expect to carry out over the coming three years, and our priorities to support the next steps in Scotland's economic recovery and renewal.

We are all working in an environment that is changing quickly. We expect to update our programme of work regularly so that we remain relevant and able to respond to changing priorities and opportunities.

Our yearly business plans will set out how we use our resources in each financial year to deliver our programme of work and strategic plan.



Our structure of delivery



CREATING THE ORGANISATION WE WANT TO BE

Our core values support what we do and how we work:



Integrity

We work for and are accountable to the people of Scotland



Challenge

We challenge ourselves and others to lead change



Innovation

We develop ambitious and progressive thinking



Empowerment

We motivate ourselves and others to realise Scotland's ambitions through land reform

We place significant emphasis on being an open and accessible public-facing organisation and continue to build strong networks that both support and challenge stakeholders. We will continue to be outward-looking and will learn from others in Scotland and the rest of the world.

Our first organisational development strategy was about building a new organisation. In the coming three years our strategy will continue to improve our effectiveness and impact.

We will	Progress milestone
Review our organisational structure to create a culture of shared leadership and responsibility	Revised organisational structure in place
Attract and retain highly motivated and empowered staff (including looking for secondment and partnership opportunities)	Staff development programme in place
Put the equality duty at the heart of our decision-making, reflecting our commitment to equality and diversity	Duty integrated into decision-making and staff training
Implement our Climate Action Plan which commits us to operating with zero direct emissions by 2030	Year on year reductions in emissions

Financial Strategy

Our financial strategy will continue to maintain tight control of our fixed costs, making sure we are as resilient and flexible as possible.

We expect our work will continue to be financed through money we receive from the Scottish Government (grant in aid). We will look for efficient ways to support our work, for example through shared service provision where appropriate.

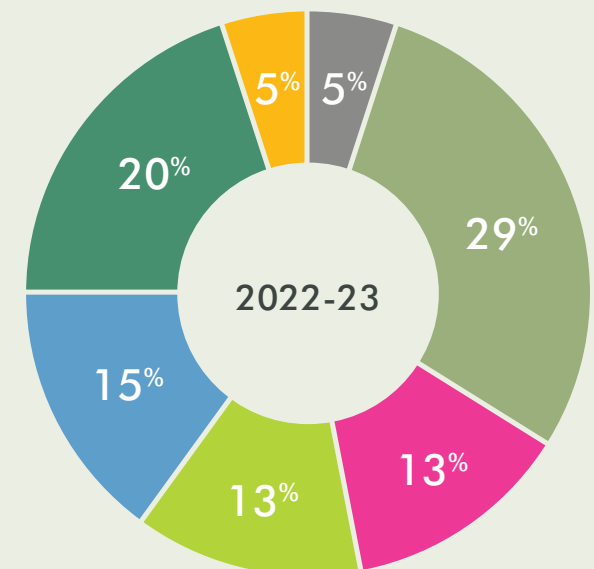
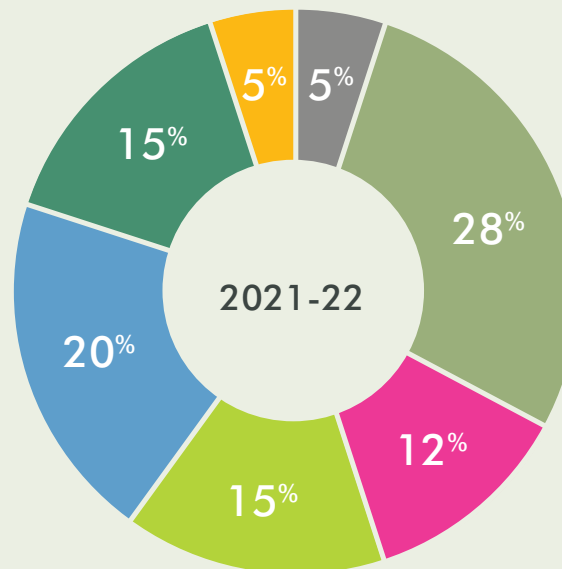
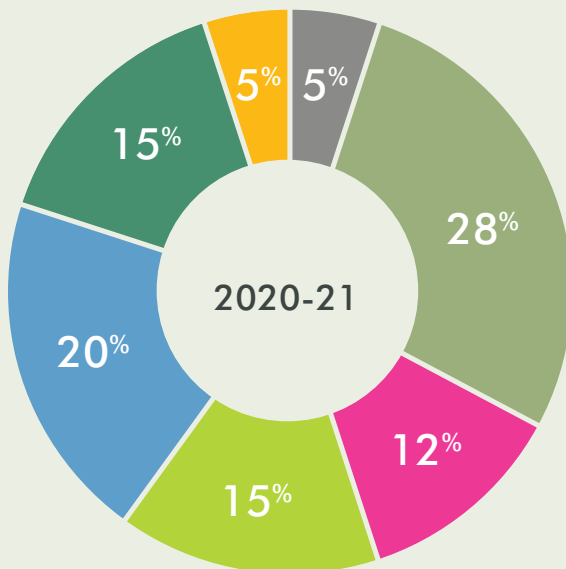
The Scottish Government has allocated £1.526 million to us for 2020-2021. How we plan to spend our budget is outlined below with staff and project costs allocated against the areas of work.

Over the three-year period we plan to keep this overall balance of spending. By maintaining control of our core costs, we will keep enough flexible spend to deliver the programme of work and adjust to changing circumstances.

Areas of spending:

- Commissioners' costs
- Core staffing costs
- Corporate Services
- Land rights
- Responsible land ownership and use
- Land markets
- Tenant farming

Allocation of budget



Measuring success

Over the period of this strategic plan, our annual report and accounts will track our progress and provide an update on our performance based on key performance indicators (KPIs).

Business area	Key performance indicator
Providing advice to Government on key areas of work	Delivered 95% of outputs as identified in the annual business plans for the three-year period
Engagement on land rights and responsibilities	Measured an increase in the use of Land Rights and Responsibilities Protocols through case work and stakeholders
	Adoption of the Land Rights and Responsibilities Statement by public bodies
	Increase in the awareness and level of engagement in decisions relating to land from the 2019 baseline figure for the community engagement surveys
Stakeholder feedback on impact of Commission's work	Project evaluations identify impact and change in approach by stakeholders as a direct result of the Commission's work
	Increase of 15% by 2023 of stakeholders identifying improvements and better outcomes in their organisation and practice as a result of the Commission's areas of work from the baseline of the 2019 perceptions audit
Staff wellbeing and satisfaction	Increase of 15% by 2023 of staff feeling valued and recognised for their work from the 2019 baseline in the annual staff survey
Financial performance	End of year outturn to be within 2% underspend of total allocated budget by 2023

ANNEX 1

Programme of work 2020-2023

This programme of work sets out the key areas of work we plan to undertake to deliver our strategic plan. We are working in a time of rapid change and we will update our programme of work annually, so that our work continues to respond to changing priorities and opportunities.

Reforming land rights

Priorities	Year
Complete advice on proposed legislative measures addressing concentrated land ownership to inform the next Parliament	2020
Conduct a review of tax and fiscal reforms to support a more diverse and productive pattern of land ownership	2021-22
Conduct a review of opportunities for new governance models that widen the benefits of land ownership, including Common Good, mixed governance, private and community ownership models	2021-22
Advise on options to complement the Scottish Land Fund with wider sources of finance to support normalisation of community land ownership	2021
Commission expert opinion and analysis to inform the human rights implications of proposed reforms, particularly on the interaction of property rights and obligations to realise economic, social, and cultural rights	2021

Responsible land ownership and use

Priorities	Year
Promote and support practical implementation of Land Rights and Responsibilities Protocols and principles and associated casework	Ongoing
Engage and support stakeholders in implementing changes in practice identified in our reviews, for example in public interest-led development, vacant and derelict land, housing land supply	Ongoing
Advise on options to strengthen implementation of the Land Rights and Responsibilities Statement (LRRS) to inform its review due in 2022, including opportunities to embed LRRS in wider public policy, funding, and delivery mechanisms	2021-22
Advise on the Scottish Government's scheduled review of Guidance on Engaging Communities in Decisions relating to Land	2021
Advise on next Land Use Strategy and establishment of regional land use partnerships	2020-21
Conduct a review of the operation of agents, to review progress against 2018 TFC review and consider the wider role of agents	2022-23



Programme of work – continued

Reforming land markets

Priorities	Year
Complete review of the housing land market	2021
Advise on opportunities for vacant and derelict land regeneration to deliver recovery and renewal and potential tax reforms to address the risk of a potential new legacy of vacant property	2020-21
Advise on improved models to address ownership constraints to development including land assembly and land value capture mechanisms	2021-22
Conduct a review of land valuation, including the differences between market and economic value and the factors likely to influence land values in the transition to a net zero economy	2021-23

Tenant Farming Commissioner

Priorities	Year
Support implementation of Codes of Practice and publish new Codes for rent reviews, relinquishments and assignments, with associated casework and inquiries	Ongoing
Establish a panel of valuers ready for enactment of relinquishment and assignment legislation	2020-21
Promote and support greater use of mediation in the agricultural sector	2020-21
Conduct a review of ways to ensure agricultural tenants and landlords can contribute to and benefit from climate change targets	2021
Support Scottish Government in implementation of the recommendations in the review of the Tenant Farming Commissioner's functions	2021

Our programme of work as at September 2020





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