



SCOTTISH LAND COMMISSION  
COIMISEAN FEARAINN NA H-ALBA

## Meeting of the Commissioners

Tuesday 2<sup>nd</sup> March 2021, 11.00am  
By Video-Conference

# A G E N D A

Item no	Item	Paper no	Action	Lead
	Welcome/Apologies			Andrew Thin
	Declarations of Interest			Andrew Thin
1.	Minutes of previous meeting 2 <sup>nd</sup> February 2021	1	For agreement	Andrew Thin
2.	Review of Land for Housing and Development: Conclusions	2 (Annex A: confidential pending publication)	For agreement	Shona Glenn & David Stewart
3.	Draft 2021/22 Annual Business Plan: Discussion on priorities	3 (Annex A: confidential pending publication)	For Discussion	Hamish Trench
4.	AOB			

**Actions from Board Meetings - Update of actions to date**

Action number	Date Raised	Context	Action Detail	Responsible	Date Required	Date Closed	Comments
21020201	02/02/2021	Land for Housing and Development Commissioners	Posy to send Commissioners communications campaign information prior to publication date	Posy			Paper on conclusions & recommendations on agenda for 2/3/21 & update on communication plans to be provided in discussion
21020202	02/02/2021	Commissioners Meetings	Discussion on VDL monitoring to be added to the agenda for a Commissioners' Meeting in the coming months	Hamish			Hamish and Andrew to agree schedule of discussions.
21020203	02/02/2021	Commissioners Meetings	Discussion on communications to be added to the agenda for a Commissioners' Meeting in the next few months	Hamish			21/22 Communications Strategy due for discussion at April meeting.
21020204	02/02/2021	Community Right to Buy	Hamish to raise this query with the Scottish Government and report back to the Commissioners	Hamish			Action discharged, Hamish will provide update at the meeting.



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## Commissioners' Meeting 2<sup>nd</sup> March 2021

### PAPER 2

#### Conclusions of the Review of Land for Housing and Development

**Purpose: To agree the conclusions and recommendations of our review of land for housing and development and consider the future role of the Commission in this work.**

Over the past 18 months the Commission has undertaken a review of land for housing and development. The aim of the review was to consider changes that could be made to the operation of the land market, particularly how land is allocated and assembled for development, that would enable the delivery of more homes and better places.

In compiling the review staff have collaborated closely with the Housing and Place Delivery Forum (HPDF), a knowledge exchange forum established by the UK Collaborative Centre for Housing Evidence. This link enabled us to test the findings and recommendations with a range of practitioners as they emerged.

#### Main Proposals for Reform

The Review proposes three broad areas for reform:

- The state should take a more proactive role in allocating land for development and take steps to build up a publicly owned bank of housing land to support future housing delivery, starting with surplus sites already in public ownership.
- Make it easier for land to be transferred from passive to active landowners to enable public interest led development to happen and the uplifts in land value arising from this to be shared more equitably across society.
- The development of alternative models of housing delivery that do not depend on high profit margins should be supported to enable delivery in parts of the country where market led delivery is weak.

#### Publication and Next Steps

Publication is scheduled for the week commencing 8th March. A short animation summarising the main themes and proposals is being developed for launch alongside the report. Once the Review has been published we anticipate undertaking a programme of stakeholder engagement to disseminate the findings.

The Report will be positioned as a set of proposals from the Land Commission to inform public debate around the need for intervention in the housing land market rather than as formal recommendations or advice for Ministers.

It is proposed that a supplementary briefing paper should also be prepared for submission to the Planning Minister covering our initial thinking on the regulatory reforms we believe would be required to support the proposed regeneration partnerships mechanism. Our intention would be for this to help inform the next stages of the implementation of the Planning Act.

### **Future Role of the Land Commission**

Some of the proposals may be considered by the incoming government in which case there may be a requirement for the Commission to undertake further development work.

Regardless of any future legislative impact that these proposals may have, the Review highlights a number of other areas where the Land Commission might usefully make a further contribution to practice, specifically:

- The Review highlights the unhelpful effects arising from a lack of transparency around options agreements. There may be scope to address this through ongoing work to embed the protocol on transparency of ownership and land-use decision making, perhaps through the development of sector specific guidance.
- Shifting toward a more collaborative approach to housing delivery will require a significant culture change on the part of the house building industry and the public sector. There may be a role for the Land Commission in supporting this by providing guidance and support through our LRR programme. Two options worth exploring in this regard would be the development of a developers “charter”, setting out good practice in relation to the planning and delivery of new housing and the provision of a programme of CPD/training for local authority planning/regeneration officers about CPO rules and good practice.
- One recommendation from the research on community engagement that was undertaken as part of the review was for the creation of national standards of engagement in planning. There is merit in this idea but it is not one where we propose the Land Commission should take a lead; however, there may be a role for us to build on our previous work on community engagement to help bring stakeholders together.
- The proposal to introduce statutory land readjustment raises challenging questions on compensation and human rights. We intend to establish a human rights advisory forum later this year, which could be used to explore these issues.

## **Recommendations**

Commissioners are invited to consider the draft report and:

- Agree the conclusions and recommendations for publication;
- Consider the options for next steps, including a supplementary briefing for the Planning Minister, and confirm priorities for the future role of the Land Commission; and
- Consider how we can best position the report to achieve the greatest impact.

David Stewart and Shona Glenn, February 2021.

**Appendix: (draft) Final Review of Land for Housing and Development**