

Private land, public accountability

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When talking about land reform with other land managers and owners, I am often puzzled at how much it upsets them. I don't feel that myself – because I think owning and managing land has significant public impacts, putting responsibilities on us to the public. It is a matter of legitimate public interest.

Some say that private land, being private, is not publicly answerable – that consideration of the public interest is an erosion of their land rights. I don't agree. As has clearly been set out, to their credit, by the Scottish Land Commission (SLC) and Scottish Land and Estates, land comes with rights but also responsibilities.

It's not realistic or fair for private land owners to think that they are not answerable for those. Many are in receipt of public subsidies – even if that is just by virtue of the fact that land (unlike other property assets) is free of non-domestic rates. Nor is it fair at a time of Climate and Biodiversity emergency. The latter, in particular, is substantially as a result of landowners' prior actions. Biodiversity in Scotland is in crisis because the land on which species dwell has been managed in ways inimical to their needs.

So we cannot pretend that private land does not have a public responsibility. Whether the Scottish Government is serious about land reform also seems in doubt. Our Party of government set an ambitious target for land to be brought into community ownership – but when a golden opportunity presented itself to take the largest step to date towards that target, the Scottish Government preferred ownership by a Gulf-based business mogul over community ownership of several large estates in Lochaber. The 114,000-acre Killiechonan, Inverlair, Inverlochy, Mamore and Glenshero Estates were passed to Sanjeev Gupta for £5 – not, to their great disappointment, to the community bodies that had expressed an interest.

With respect to this exercise by the SLC, perhaps this collection is published prematurely, because we do not know yet the outcome of debates on the current land reform bill. When it's enacted we may have reached a just settlement. My own view is that the process of land reform was desirable, and has so far been largely benign. The draft legislation holds no great fears for me. More worrying is the dysfunctionality of Scotland's public services. They have been centralised and under-resourced. The agencies with which as land managers we daily deal – SEPA, NatureScot, the enterprise agencies, Transport Scotland, the Marine Directorate, besides our local councils – are all much diminished, under-resourced and politically browbeaten.

Their failures concern me more than questions of whether I, as a manager of private land, am showing sufficient public accountability.

Because as a landowner, I should be publicly accountable. Those who say otherwise are living in the past.