



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

FAQs on Community Engagement in Land Use Decision-Making Protocol

- **What is a Land Rights and Responsibilities Protocol?**

The Scottish Land Commission is publishing a series of protocols to support the practical implementation of the Scottish Government's [Land Rights and Responsibilities Statement](#) (LRRS). These protocols can be used by everyone in Scotland and they are particularly useful for communities and businesses, as they set out practical ways that these can realise their rights and responsibilities in relation to land in their locality. The protocols set out what responsible practice looks like and support all relevant parties to take a fair and reasonable approach.

- **Why has the Commission published a protocol for Community Engagement in Land Use Decision-Making?**

The Commission recognises that genuine and open engagement can reduce conflict, make businesses more resilient and promote innovation. Better engagement also enables communities to be more informed and gives people greater opportunities to understand and influence land use decisions. There are rights and responsibilities that come with owning land and property and this protocol helps landowners to understand what the expectations are and how they can meet them, accountability and governance in line with expectations of the LRRS.

- **What are the benefits of community engagement?**

Community engagement helps landowners and communities to build positive relationships and to work together for the benefit of local areas. It provides an opportunity for landowners and managers to explain proposals and gain valuable input and feedback from the community, leading to stronger and more sustainable projects. Effective community engagement can also increase local support for developments, and reduce objections and complaints about projects, saving time and money.

Our report on the [Benefits of Early Engagement in Planning](#) sets out the benefits of engaging with communities at an early stage within a planning and development context. You can also find more information about the benefits of engagement for different parties [here](#).

- **Who does the protocol apply to?**

This protocol applies to anyone with significant control over the way land or buildings are managed. This can include individuals, companies, trusts, public bodies, non-governmental organisations, charities and community owners, and agents or tenants with significant control.

It also applies to community councils and to relevant constituted community organisations that have an open membership and represent the area within which the land and/or a related community sits (such as development trusts or resident associations).

- **How do I identify my community?**

When we talk about community, we mean the individuals who live in and around a place. This can be an urban or rural area. It can include whole towns, single streets, whole islands or peninsulas, other large geographic areas or small villages or neighbourhoods. In some cases, such as for Asset Transfer requests to public bodies, a community of interest can make a request for ownership, use or lease of land. These are communities of people who are connected through a shared interest rather than by place. However, the primary focus of this guidance is on those who live locally and are affected by decisions about how land or buildings are used and/or managed. Further information is available in our [Practice Guide](#) on developing an engagement plan.

- **How do we know if our land use decision will have a significant impact?**

This will depend on local context, but the [Scottish Government Guidance](#) offers some useful broad guidelines. Our [Route Map](#) and Matrix template will also help you plot out when and how you should be engaging with the local community.

The decision or activity is likely to be significant if:

- It impacts on the human rights of other people (including their economic, social and cultural rights, for example) at the local population level
- It affects several people in the local population, not just one household
- It will impact (positively or negatively) on opportunities for sustainable local development, sustaining a viable community, wellbeing or personal human rights
- A series of small decisions about land whose individual impact may not appear significant, over time can result in a significant impact on the local area (cumulative effects).

Examples of decisions that could have significant impact include activities that create or affect housing supply, essential services, local jobs, and social or environmental issues. It will not normally include activities such as day to day farming or forestry operations, building maintenance or routine business activities. Some activities may have moderate impacts if they temporarily become more disruptive than usual – for example if they are carried out at unusual times, if they disrupt normal business or transport locally, or if they cause significant light, smell or sound pollution.

- **When should I engage with the community?**

Starting engagement as early as possible can help you to establish a mutually beneficial approach and create clear lines of communication that will help prevent misunderstandings arising. Early

engagement can provide an opportunity to test out ideas and identify any potential pitfalls or objections before a lot of time and resources have been spent on a plan. Our case studies from [East Neuk](#) and [Findrassie](#) demonstrate what can be achieved through good engagement with the community.

We have published a [toolkit](#) that provides practical resources with ideas for how you can engage and what you might expect in different situations. The Protocol and toolkit support the [Scottish Government's Guidance in Engaging Communities in Decisions Relating to Land](#).

- **How can we build a good relationship with our community?**

You can build positive and open relationships by being open and transparent about what you do, listening to community aspirations, and taking the time to explore ways to support each other. See our [Transparency Protocol](#) for further guidance.

People who control how land is used or managed should think about engaging even where they have no immediate plans for change. Our [Practice Guide](#) and case studies include some practical ideas about the type of engagement expected and the sorts of methods you can use. Engagement might start with very simple communication and sharing information; it doesn't need to be complicated or formal. See our case studies for [Urras Oighreachd Ghabhsainn](#) and the [Cumbernauld Living Landscape Partnership](#) for examples of positive relationships between landowners and communities.

- **How do we know our community is representative?**

Communities are complicated and it is rare that everyone in them will agree. It is not necessary for there to be complete agreement, but it is important that everyone can have an opportunity to contribute and be confident that they have been listened to. This can be achieved by offering different ways for people to have their say (e.g. public meetings, surveys, written consultation) so that people who don't feel comfortable speaking up in public can still make their views known.

When groups of people come together there can be potential for conflict and disagreement. It may be possible to resolve these by using a consensus building approach. Some communities will have well organised and informed community organisations and may have an up to date Community Action Plan or Local Place Plan. Where they exist, these are a very good starting point to identify where plans can be aligned.

In all cases think about who in the community will be impacted by your plans. Be clear before you start about what your engagement is trying to achieve, who you need to include and how to do that. Our [Practice Guide](#) provides useful advice on this.

- **How can we let the community know about engagement events and the decisions made?**

Feedback from our [Community Survey](#) suggests that a range of methods works best to make sure your reach as wide a range of people in the community as possible. Think about how the groups you don't usually hear from get their information, and use that where you can, such as local radio, social media, noticeboards, bus stops and local shops. There may also be other groups in the area that you can work with to reach as many people in the community as possible. Our [Practice Guide](#) includes more suggestions and will guide you through the issues you need to consider for your engagement plan.

- **If we talk about our plans too soon will this raise unrealistic expectations?**

This will depend on local circumstances. It is important to be clear about the purpose of the engagement and to consider the following:

- Why are you asking for input?
- What decisions can and can't be influenced?
- What are the timescales for decisions being made?
- How will people get know what will happen next?
- What further engagement events might take place and what will they cover?

If your plans are strategic or long-term and will take some time to come to fruition, make this clear to the community and highlight any future opportunities to engage that will arise as the project progresses.

All parties need to be realistic about significant project, especially those that do not fit with local strategic priorities. Speak to the local planning department for advice before starting to engage with others can help you to avoid raising expectations for a project that is unlikely to go ahead. Make it clear to the community what stage projects are at and the process that will have to be followed (e.g. securing planning permission, securing funding, procurement, etc).

- **How much time does engagement take?**

Plans for community engagement should be proportionate to the impact that your decisions and the changes you are making will have on the community. Where impact is likely to be significant, more in-depth engagement will be required and this will take longer. Time spent building up a good relationship with the community can deliver significant benefits, especially when it comes to making substantial changes and developing large-scale and strategic projects. Our case study on the [Findrassie](#) development being taken forward by Pitgaveny Estate is a good example of the benefits of building up a strong relationship with the community over time.



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- **How do we identify and plan for the resources we need for community engagement?**

Think about all the resources you need from the outset and be realistic. Knowledge, skills, time and budgets all need to be considered when you are holding engagement events. Your main resource will usually be time, which is required for direct conversations, planning and holding events, listening to and responding to feedback, and preparing reports or follow up material.

Think about how many events or meetings you might hold and where they will be held. You might need to budget for the following costs:

- Venue hire costs
- Catering and refreshments
- Printing and materials
- Communication and promotion
- Facilitation
- Attendance by professional advisers (if required).

For larger and more complex engagement events, you may also need to think about:

- Helping local community and voluntary groups to support others to understand and respond to information and proposals
- Whether you might need to commission research, prepare reports or proposals ahead of the meeting
- Whether you need to provide or transport, childcare, or translation services so that everybody can take part.

- **How do we budget for it? Is there funding available?**

If your engagement is about a straightforward decision or project, it need not be expensive. For more complex projects you need to make sure it is planned and costed for properly as part of your overall project budget. Ongoing engagement can become a normal part of business planning processes and marketing activities.

Local and national funding sources to support community engagement activities constantly evolve and change. Mixed income streams (a mixture of public, private, charitable and locally raised funds) and match funding are common and support the benefits of working collaboratively and in partnership on land-use changes.

- **Who is the best person to lead on developing community engagement?**

The most important part of any effective community engagement is good communication which is a positive experience for all parties. The person best placed to lead on this will vary depending on your



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organisation size, structure, and the experience and the skills of existing staff. Good positive leadership is essential – but staff at all levels can be important ambassadors, so don't overlook your 'people' people across the team.

Larger organisations might employ specialist staff or consultants, but everyone needs to understand their potential role in developing good engagement with local communities. Front line staff may have an important role to help to plan or deliver information and engagement activities and to connect with the local community. The key skills they will need include active listening, communication and facilitation. More complex projects may also need people with project management, planning and evaluation skills.

Good practice resources and toolkits, training courses and specialist advisors are available across Scotland. Membership organisations and networks can also often provide useful guidance, links and shared practice.

- **How can we encourage the community to be involved in engagement activities?**

Your focus might be on developing your project or business idea. Some people in the community may share your interest, but others will be less interested and busy with their own interests. To get a good level of engagement you need to think what it is about your plans that will interest people the most. How will it impact on them? Can they be sure that having a say will benefit them or make a difference?

How you engage should be matched to your community, your activities, and the stage the proposals are at. Suggestions are included in our [Practice Guide](#) and [Resources](#) sheet.

It is also important that communities engage with long-term planning reviews and consultations on local development strategies before individual plans come forward. Landowners can help to encourage and facilitate this by supporting or facilitating local interactive events. See our case study on [East Neuk](#) Community Engagement Planning for an example of this.

- **Where can I get more information about the protocol?**

More information about the Good Practice Programme including protocols, tools and guidance can be found by contacting the Good Practice Team.

Write to: Scottish Land Commission
Longman House
28 Longman Road
Inverness, IV1 1SF

Email: info@landcommission.gov.scot
Phone: 01463 423 300