



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Making More of Scotland's Land Our Programme of Work September 2017



The Programme of Work¹ sets out the main workstreams the Scottish Land Commission will undertake in delivering against the Strategic Plan 2018-21. The Commission's role combines leadership and non-regulatory culture change with statutory functions to review and advise on legislative and policy change. Our Strategic Plan sets out how our work contributes to the Scottish Government's purpose and national outcomes, in particular the role of land reform in delivering sustainable and inclusive economic growth.

Our work will combine:

- **Engagement and communications**
stimulating awareness, collaboration and change on the ground;
- **Research and evidence**
commissioning and collating the research and evidence necessary;
- **Guidance and codes**
developing guidance and codes of practice to help shape good practice;
- **Making recommendations**
for change in legislation, policy and practice.

The Programme sets out the major activities we currently intend to undertake, though is not a comprehensive list of all our expected or on-going work. The full scope of activity, associated resources and performance measures will be set out in our annual operating plans for each financial year.

This is intended to be a rolling Programme of Work which the Commissioners will keep under review. We will publish an updated programme on an annual basis.

The Programme of Work is structured around the four strategic priorities set out in our Strategic Plan.

We expect our workstreams to focus on both policy and practice. While some will necessarily lead to recommendations for longer term legislative or policy change, we will also work more immediately with partners to identify changes in practice that can be implemented in the short term, leading to change and improvement on the ground.

We will take a collaborative approach to scoping and delivering the work identified here, actively seeking opportunities to support changes in practice. We will meet regularly with stakeholders wherever we can help improve practice and resolve issues, and to ensure the ongoing relevance of our Programme of Work.

We will also continue to build on the high level of public engagement established in the early months of the Commission, through public meetings, participation at relevant events and open communication.

¹ The Programme of Work is required under section 9 of the Land Reform (Scotland) Act 2016

Programme of Work as at September 2017:

1. Land for Housing and Development

	Workstream	Activity	Estimated completion Timescale*
1.1	Improve redevelopment of vacant and derelict land	a) Assess the causes and consequences of urban vacancy and dereliction; b) Identify existing/additional policy tools and changes in practice required to bring land into more productive use; c) Publish case studies and best practice guidance.	By end 2018/19 By end 2019/20 Ongoing
1.2	Address constraints to land assembly for development and effective place-making	a) Assess options encourage more public interest led development; b) Assess options to address constraints to land assembly for development; c) Publish case studies and best practice guidance.	By end 2018/19 By end 2019/20 Ongoing
1.3	Review of land value and ownership in the current operation of the housing land market	a) Evaluate the extent to which the treatment of land ownership and value in the current operation of the housing land market is effective in serving the public interest; b) Evaluate the impacts of land banking practices; c) Assess options for more effective land value capture.	By end 2018/19 By end 2019/20 By end 2019/20

2. Land Ownership

	Workstream	Activity	Estimated completion Timescale*
2.1	Address issues arising from scale and/or concentration of land ownership	a) Assess the extent of scale and concentration of land ownership; b) Assess the implications and identify options to address impacts of scale and/or concentration of land ownership including localised monopoly situations.	By end 2018/19 By end 2019/20
2.2	Review of the role of charitable status in land ownership	a) Assess the implications of charitable status land ownership in relation to the public interest; b) Publish best practice guidance on charitable status land ownership.	By end 2018/19 By end 2019/20
2.3	Review of the costs and impacts of fiscal policy in relation to diversity of ownership and land use decision making	a) Investigate the impacts, costs and benefits of the current fiscal regime (Scottish and UK), including tax exemptions and reliefs in relation to the public interest in land use. b) Identify options to improve policy alignment.	By end 2018/19 By end 2019/20
2.4	Delivering greater community benefit through Common Good Land	a) Assess options for greater community benefit from Common Good Land including potential for community management and ownership.	By end 2019/20
2.5	Review the effectiveness of community right to buy mechanisms	a) Assess the effectiveness of current mechanisms; b) Identify improvements to make it easier for communities to buy land where it is in the public interest.	By end 2018/19

3. Land Use Decision Making

	Workstream	Activity	Estimated completion Timescale*
3.1	Community involvement in land management decision-making	a) Baseline research to establish appropriate measures/indicators of community involvement in land management decision making; b) Advise on implementation of Scottish Government guidance on community involvement; c) Monitoring to assess progress.	By end 2018/19 Ongoing Ongoing
3.2	Implementation of the Land Rights and Responsibilities Statement	a) Provide guidance as required on the ongoing implementation of the Statement and monitoring to inform future review.	Ongoing
3.3	Publish Best Practice Guidance and advice	a) Identify where guidance and codes could provide further clarity in aligning policy and practice in delivering the public interest and promoting accountability.	Ongoing
3.4	Use of Land Value Taxation	a) Review the ways in which land value taxation has been used as a policy tool to influence decision-making.	By end 2018/19
3.5	Realisation of human rights	a) Assess the opportunities provided by land reform for further realisation of economic, social and cultural human rights.	By end 2018/19

4. Agricultural Holdings

	Workstream	Activity	Estimated completion Timescale*
4.1	Implement, promote and monitor Codes of Practice	a) Improve the relationships and efficiency of agricultural lease and joint venture mechanisms, through the use of Tenant Farming Codes of Practice; b) Identify where further codes may be helpful.	Ongoing
4.2	Investigate complaints	a) Investigate complaints about breaches of codes of practice.	Ongoing
4.3	Guidance notes on legislation	a) As new legislation comes into force, issue guidance for landlords and tenants to understand the implications of new legislation.	Ongoing
4.4	Review of the operation of agents	a) Commission a survey on the views of landlords and tenants, consult with agents and make recommendations to Ministers.	By end 2017/18
4.5	Report to Scottish Ministers on a modern list of improvements	a) Consult with stakeholders and prepare a report setting out recommendations for a modern list of improvements.	By end 2017/18
4.6	Review barriers to entry into agriculture	a) Assess options for new or adjusted letting, joint venture and other models that would increase the availability of land to new entrants.	By end 2018/19
4.7	Tenant Farming Advisory Forum	a) Facilitate a Tenant Farming Advisory Forum to identify and discuss issues relevant to the maintaining and developing the tenant farming sector and guide relevant research.	Ongoing

****Note on Timescale***

Many of the workstreams will involve on going phases of work including scoping, review and recommendations. This is a rolling Programme of Work and we expect new elements of work to come into the Programme as these workstreams develop. The timescales given here relate to the elements of work currently identified. We expect the workstreams to continue to develop beyond these.