



SURF Consultation Response: Land Rights and Responsibilities Statement

Background

Five years on from its publication in 2017, the Scottish Government is conducting a formal review of the of the [Land Rights and Responsibilities Statement](#).

The Statement, which emerged from the [2016 Land Reform \(Scotland\) Act](#), sets out key principles designed to inform enhanced decision-making around land use, and deliver better outcomes for community empowerment, social justice, and sustainable economic development.

A three month [Scottish Government consultation](#) on the Review was launched in November 2021. SURF took the opportunity to participate, and our responses to selected consultation questions follow.

SURF Response to Selected Questions

Q1: Do you think that the revised vision reflects the outcomes that we need to achieve?

[A copy of the Statement's vision & principles follows in the appendix]

To some extent.

Q2: If you have answered 'no' or 'to some extent', what key changes would you like to see to the vision?

The new vision rightly reflects the new climate emergency context, and the inclusion of explicit references to supporting progress towards a just transition and achieving net zero are welcome. In SURF's [2021 Manifesto for Community Regeneration](#), our consultees highlighted the fundamental importance of shifting rapidly to a greener economy, and reported that the interconnectedness of land use and ownership, and the climate challenge, is generally underplayed in public policy.

In SURF's view, the vision could be further enhanced by a stronger reference to alleviating poverty. SURF's Manifesto stated that: "the essential transition to a much greener economy must not be at the expense of poorer people and places". While this is implied by the phrase "just transition", some in the SURF network reported concerns of a lack of clarity around the meaning of this term in practice. An up-front recognition in the vision of the importance of reducing poverty, would further demonstrate that the Scottish Government is seeking to use all relevant policy levers at its disposal to address poverty and deprivation, while simultaneously progressing climate change commitments.

Q3: Do you think that the principles are still relevant to current Scottish land issues?

[A copy of the Statement's vision & principles follows in the appendix]

Yes.

Q6 Do you think that there is a need for regular reporting on implementation of the Principles of the Statement?

Yes.

Q7 If you think that there is a need for regular reporting, how do you think this should be done and by whom?

SURF has had a strong and productive working relationship with the Scottish Land Commission since its 2017 creation. As the Scottish Government's agency for land-related policy, which was established via a commitment in the Land Reform (Scotland) Act, it is naturally well-positioned to report on implementation.

SURF appreciates the Commission has a small staff team and a busy workload. The additional resource implication of a new reporting function should be taken into account by the Scottish Government in the event of deciding to task the agency with such a responsibility.

In-depth annual progress reports could usefully: draw attention to emerging examples of impact in practice; highlight areas in which principles are seen to be lacking in influence on delivery; and provide practical recommendations for the Scottish Government.

Q8: If you would like to submit a case study, please provide details of a specific example. You may submit more than one case study.

The annual SURF Awards for Best Practice in Community Regeneration regularly highlights notable examples of impact and achievement in place-based regeneration, and many of the featured projects are centred on significant changes of ownership and use of land and buildings in communities across urban and rural Scotland.

Three recent examples follow below, and further information is available on request. These initiatives highlight the value and relevance of principles 1 (supporting sustainable economic development and achieving social justice), 2 (more diverse pattern of land ownership), 3 (more local communities have the opportunity to own land and buildings), and 6 (greater collaboration and community engagement in decisions about land).

Case Study 1: Ochiltree Community Hub

Winner of the Community Led Regeneration SURF Award in 2019

This initiative saved a rural area's community centre by taking it into community ownership and expanding its service provision. The centre is located in Ochiltree, an East Ayrshire village with a population of just over 1000.

A 2013 village survey, arranged after East Ayrshire Council announced plans to close the community centre and library, demonstrated overwhelming demand for a rebuild or refurbishment of the facilities.

A dedicated community group was formed in 2014 to establish a new multipurpose, community-owned facility.

The community raised £1.8m to develop the project. The existing facilities were demolished in 2016, and the land was purchased by the community. The new hub was designed and constructed from January 2018, and launched in July 2019. It provides a community café, five versatile spaces for community events, disabled access, Wi-Fi, training and volunteering opportunities, and a range of social activities including cinema nights, indoor sports and dances. Income generated from the café and event hires supports its long-term sustainability. It has successfully reenergised village life, and the wider Ochiltree and Skares rural area.

Ochiltree Community Hub is managed by a charity of the same name with 13 local residents on its Board of Trustees. East Ayrshire Council, the National Lottery Community Fund and the Scottish Land Fund supported the asset transfer process.

The independent SURF Awards judging panel were impressed by the building, which they described as, “a catalyst for change in the community”. It demonstrated tangible evidence of growing community spirit through multiple, complementary strands of activity, increasing the wellbeing of the inhabitants of the village and its environs. The project team has clearly listened to the community, constantly reevaluating their needs and identifying opportunities. Trustees describe “maxing out community empowerment” to foster change. The Hub has a low carbon footprint, maximum flexibility and adaptability.

The organisation’s focus is now on expanding community use, establishing service provision, governance and operational matters, and exploiting the value the Community Hub can bring by increasing participation across all ages. Sustainability is seen in several areas: in building design, with solar panels to reduce energy bills and bring future income; by expanding income streams through national partnership contracts; sustaining leadership by developing new Trustees; and developing links through the Local Action Plan, Active Schools and Alzheimer’s Scotland. They have maximised the skills and resources available to establish a Hub that has revived a previously declining environment. Trustees, staff and members’ unflagging commitment and drive make it a sustainable facility with maximal function as a catalyst for community growth.

Website: www.ochiltreehub.com

Case Study 2: Campbeltown Town Centre

Winner of Scotland’s Most Improved Place SURF Award in 2020

With a population of just 4556, a remote location in Argyll and Bute, and limited transport and employment opportunities, most areas of Campbeltown are within the 15% most deprived in Scotland. In response to these challenges, a combination of community led regeneration and a multimillion pound renovation project have produced a thriving town centre, and Campbeltown is becoming an increasingly attractive place to live, work and invest.

The physical improvements have been dramatic. Over £13m was spent reinstating the historic town centre and involved over 60 local contractors, supported by traditional skills training. This included repairing over 40 buildings and returning over 2000m² of vacant and derelict floor-space to use as both

commercial and residential space. This investment has safeguarded existing homes, jobs and businesses, whilst creating opportunities for new businesses.

Highlights include the restoration of the world-famous Picture House and Campbeltown Town Hall. The newly regenerated historic centre has been showcased through an architecture exhibition, held in Glasgow and Campbeltown, and a new 'Discover Campbeltown' app. Furthermore, a range of other community led initiatives ran alongside the project, including enhancements to the Quarry Green area and cycling route, installation of superfast broadband and relocation of the Council Customer Service Centre. All of this has made the town centre more attractive, helping reduce both commercial and residential vacancy rates, increasing footfall and proving that people still want to live and use the town centre.

Central to the project's success was Argyll and Bute Council's bottom-up approach. The Council established a strong local presence and worked with a range of local partners, including Campbeltown Community Council and local business and tenement owner associations. Additionally, the Council has worked with the community to ensure the long-term sustainability of the town centre regeneration initiatives, for example through training courses for businesses and regular events such as markets and Shop Local campaigns. These activities have supported the redevelopment project and improved the town for residents, businesses and visitors alike. The sustainability and resilience of the town centre has already been demonstrated by the rapid development of a fast-track permit system for outdoor trade and seating to help businesses adapt to the pandemic.

The SURF Awards judges were struck with the wide ranging programme of activity that has secured the participation of public, private, community and third sector organisations, all working together from the start. A shared vision based on trust and perseverance has helped to transfer ownership from the local authority into the community who are now empowered to shape and deliver projects that respond to local circumstances. The judges were impressed at the scope and scale of activity, and the extent to which this has transformed the town. There is no doubt that the physical environment is substantially improved, but the return of confidence from businesses, owners and investors, struck the judges as the key change. With local businesses growing and new ones opening, the town is thriving, reflected in demand for housing from young people who see a positive future for themselves and their town.

Website: www.argyll-bute.gov.uk/campbeltown-regeneration

Case Study 3: Papay Community Cooperative, Winner of the Community Led Regeneration SURF Award in 2018

This case study rejuvenated an economically challenged and remote island community by establishing a social and economic hub.

Papa Westray, known locally as Papay, is one of the smallest islands in the Orkney archipelago. In 1979, Papay Community Cooperative was established by local community members in response to an announcement that the island's only shop was set to close.

The group's initial aim was to develop a community shop, accommodation for tourists, and a venue for community activities. It delivered these by repurposing a row of empty farm cottages, known as Beltane House. The well-stocked shop and hostel, which holds a four-star rating with VisitScotland, have helped

safeguard the island's future. Beltane House is also a well-used community facility, turning into a licensed pub on Saturday nights, and used regularly for film screenings and parties.

Papay Co-op also established an eco-workshop, to improve the island's recycling and waste disposal facilities, as well as an insulation improvement scheme for housing across the island, and a school bus which doubles as a summer tour bus. The group work closely with Papay Development Trust on long-term tourism development.

The Co-op's activities have helped change the island's narrative from decline and depopulation to development and growth, and have supported a population increase from 54 in the 1990s, to the present 85. Papay Co-op is directly owned by 100 members, all of whom are residents or former residents of the island. It employs seven staff.

The SURF Awards judges could clearly see the difference the Community Cooperative has made, and is making, across the small island community. There was fantastic evidence of local partnership development and a deep understanding of the local, and often unique, needs for the island's population. This has led to the development and delivery of authentic, community-based solutions, all of which has provided a sustainable future for everyone living in Papay.

Working in partnership with the local Development Trust, Orkney Islands Council, the RSPB, and many others, the Co-op has developed a clear vision in genuine consultation with its members. Always resourceful and innovative, the Co-op's work evolves as opportunities of bringing new skills to the island, enhancing recycling projects, and attracting tourism present themselves. The provision of local jobs and high levels of participation has enabled the whole community to be involved in making Papa Westray a great place to live and thrive.

Website: www.papawestray.co.uk

Q11 Please tell us about any sectors you perceive to have lower awareness of the Statement.

SURF events have indicated a generally low awareness of the content of the statement across our network, which features more than 300 organisations that are concerned with the regeneration of deprived Scottish places. Our network included local authorities, housing associations, many types of community groups, in addition to charities and businesses.

SURF has a particular concern around the related 2018 policy document, [Guidance on Engaging Communities in Decisions Relating to Land](#). Those familiar with it report that it is a well-considered, practical and valuable guide on reasonable expectations for all parties involved in land use decision-making, including communities, landowners, developers and local government. SURF discussions and consultations have, however, indicated that very few are aware of it, let alone using it to meaningfully inform practice.

Knowledge of the Statement and Guidance Document is higher among academics and researchers, and some community group and local government representatives that engage directly and formally with land and building ownership changes. There is, however, much room for improvement.

Q12 Do you have any suggestions of ways to engage with sectors who do not currently see the Statement as relevant to them?

There is a wider challenge, regularly raised in the SURF network, around the volume and complexity of policies and strategies relating to place-based regeneration. Our 2021 Manifesto interviews indicated that regeneration officers in local government, among others, are feeling overwhelmed with the fast-changing policy landscape, in which new priorities, responsibilities and reporting requirements are frequently added, but departmental capacity remains constant, or is even shrinking.

This makes for a challenging context in which to significantly raise awareness and use of the principles. One tried-and-tested approach is to commission a wide ranging activity programme, that could utilise a variety of communications channels from workshops and webinars to event presentations and blogs, to gradually build up knowledge and understanding across relevant sectors.

SURF would be happy to consider providing appropriate space at a relevant event, and in our website, e-bulleting and social media, to support such a programme, and we're confident the Scottish Government could make a similar arrangement with many other intermediary bodies, including those in the private sector.

End of SURF response

Derek Rankine | Policy Manager | 28 Jan 2022 | derek@surf.scot

Appendix

Extracts of the vision and principles of the Scottish Land Rights and Responsibilities Statement:

2017 Vision:

"A Scotland with a strong and dynamic relationship between its land and people, where all land contributes to a modern and successful country, and where rights and responsibilities in relation to land are fully recognised and fulfilled."

2022 Vision (proposed):

"A Scotland with a strong and dynamic relationship between its land and people, where all land contributes to a modern and successful country and supports a just transition to net zero, and where rights and responsibilities in relation to land and natural capital are fully recognised and fulfilled."

Six Principles:

1. The overall framework of land rights, responsibilities and public policies should promote, fulfil and respect relevant human rights in relation to land, contribute to public interest and wellbeing, and balance public and private interests. The framework should support sustainable economic development, protect and enhance the environment, help achieve social justice and build a fairer society.

2. There should be a more diverse pattern of land ownership and tenure, with more opportunities for citizens to own, lease and have access to land.
3. More local communities should have the opportunity to own, lease or use buildings and land which can contribute to their community's wellbeing and future development.
4. The holders of land rights should exercise these rights in ways that take account of their responsibilities to meet high standards of land ownership, management and use. Acting as the stewards of Scotland's land resource for future generations they contribute to sustainable growth and a modern, successful country.
5. There should be improved transparency of information about the ownership, use and management of land, and this should be publicly available, clear and contain relevant detail.
6. There should be greater collaboration and community engagement in decisions about land.

Link to consultation paper: <https://www.gov.scot/publications/review-of-land-rights-and-responsibilities-statement-a-consultation/documents/>

Further SURF consultation responses are available on the SURF website:

www.surf.scot/consultations/

SURF Scotland's Regeneration Forum. Unit 15, Six Harmony Row, Glasgow, G51 3BA
Tel: 0141 440 0122 / Email: info@surf.scot / Website: www.surf.scot

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