



Photograph: WILLIE URQUHART

Kate Forbes, the MSP for Skye, Lochaber and Badenoch, addressed the annual conference of Community Land Scotland at Sabhal Mòr Ostaig on Skye last week. Community ownership of land, she said, offered a means to reverse Highland depopulation



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Planning Act could offer hope for rural repopulation

LAST WEEK THE Scottish Parliament passed the Planning (Scotland) Act 2019 after three days of intense and increasingly acrimonious debate in the chamber.

The bill was originally envisaged by the Scottish Government as a measure to streamline the land use planning system. Instead, it became a legislative ‘free for all’ as MSPs from all parties weighed in with well over 300 amendments – the highest total ever tabled for a bill progressing through its legislative stages at Holyrood, and a reflection of the political importance of the planning system as something that both directly and indirectly affects people’s everyday lives.

Not all of these amendments survived the bill’s protracted and occasionally stormy passage, with the Greens, Labour and Liberal Democrats voting against it becoming law while the SNP and Conservatives voted in favour.

Amongst other things, the new act sets in statute for the first time the purpose of planning as being to manage the development and use of land in the long-term public

interest. It sets out issues for consideration in developing both the next National Planning Framework which is the long-term spatial plan for Scotland, and future local development plans formulated by planning authorities.

The act also introduces provisions for ‘local place plans’, envisaged as enabling communities to have a stronger say in deciding how their local areas are developed and ‘masterplan consent areas’ to more readily facilitate development in specified areas.

Several amendments that did survive the cull relate to rural repopulation and resettlement, and reflect much of what Community Land Scotland – the membership organisation for Scotland’s community landowners – called for in its evidence submission on the draft Planning Bill back in January 2018.

Community Land Scotland’s proposals for rural repopulation and resettlement drew considerable media attention at the time. Amongst the more excitable headlines was that of one national newspaper proclaiming ‘Lairds warn against plans to reverse Clearances’. Readers of this newspaper will be only too aware of the multiple layers of irony contained within these words.

The Planning (Scotland) Act 2019 makes several explicit links between rural repopulation, land reform and the continuing evolution of Scotland’s planning system.

Increasing the population of rural areas of Scotland is included as one of four outcomes for the National Planning Framework. Scottish ministers must have regard to the desirability of resettling rural areas that have become depopulated when preparing the content of the framework, and allocating land for resettlement may now be a

consideration for developing both the NPF and local development plans. There is also scope for producing maps and other material relating to rural areas where there has been a substantial decline in population in preparing the NPF.

The framework must also have regard for any ‘land rights and responsibilities statement’ or any strategy for land ownership or use prepared by Scottish ministers. And there are provisions in the new Planning Act about reporting on and improving consultation with communities in relation to the designation of any new National Scenic Areas.

THESE AMENDMENTS MATTER because of the depopulation crisis that great swathes of rural Scotland – and particularly the Highlands and Islands – face.

In 2018 the James Hutton Institute published research indicating that, “in the absence of intervention”, Scotland’s sparsely populated areas – covering almost half of Scotland’s land area but containing less than three per cent of the nation’s population – faces losing more than a quarter of its population by 2046. This “implies serious challenges for economic development, and consequences for its landscape and ecology which are poorly understood”.

Similarly grim projections are contained in the Highland Council’s corporate plan for 2017-2022 which was updated earlier this year. Inverness, Skye and Lochalsh and Ross and Cromarty are projected to see their populations increase between 2016 and 2041. Yet many other places in the region are set to see their populations continue to spiral downwards during the same period: Sutherland (-11.9 per cent); Caithness (-21.1 per cent); East

Ross (-13.8 per cent); Badenoch and Strathspey (-5.3 per cent); and Lochaber (-5.9 per cent).

The rural repopulation and resettlement provisions contained in the new Planning Act can help reconfigure the planning system as an effective policy tool to help address the litany of depopulation facing much of the Highlands and Islands and elsewhere in rural Scotland. However, the effects of these provisions will inevitably take time to come to fruition, given that the next iterations of both the national planning framework and of planning authorities’ local development plans lie some way into the future. They also depend on the commitment of government and planning authorities to drive the planning system towards land use that is genuinely sustainable in helping deliver the affordable housing, physical and services infrastructure and high-quality jobs that are vital in helping to retain and attract more people to live and work in our rural places.

The planning system is ultimately a single piece – albeit an influential one – of a policy jigsaw that urgently needs to be assembled for Scotland’s sparsely-populated rural places to flourish. Part of the challenge lies in reframing our relationship as a society with land and landscapes in ways that enable our rural communities to exist and thrive as a matter of social justice while simultaneously safeguarding our natural heritage.

LAND REFORM— defined in the Land Reform Review Group’s 2014 report ‘The land of Scotland and the common good’, as “measures that modify or change the arrangements governing the possession and use of land in Scotland in the public interest” —

has a vital role to play in reframing that relationship.

However, its relevance as a cross-cutting theme to advance sustainable rural development has yet to fully penetrate the siloed structures of government if ‘A new blueprint for Scotland’s rural economy: recommendations to Scottish Ministers’ – a report issued in September 2018 by the National Council of Rural Advisors – is any guide. That influential document in shaping government thinking on the rural economy mentions land precisely once in calling for development of “eco-systems services and climate change mitigation actions that reflect best land-use practice”. There is not a single mention of the significance of land ownership as a driver for rural development or of land reform more generally.

Such omissions are perplexing, particularly in light of the Scottish Land Commission’s subsequent research report in March of this year highlighting abuses of power as a result of concentrated land ownership in Scotland.

The commission’s report highlights “fear of repercussions” from “going against the landowner” expressed by some people. This fear was rooted firmly in the concentration of power in some communities and the perceived ability of landowners to inflict consequences such as eviction or blacklisting for employment/contracts on residents should they so wish. This is testimony given to the Land Commission in 21st century Scotland – although you’d be forgiven for mistaking it for evidence to the Napier Commission of the 1880s, so shockingly does it collide with our self-image as a socially-progressive nation.

It’s clear that rural communities in Scotland’s sparsely-populated areas face a crisis of depopulation that threatens their very existence in the longer term. Provisions contained in the Planning (Scotland) Act 2019 offer encouragement that the planning system has an important role to play in tackling that crisis if there is genuine will on the part of government and planning authorities to implement them effectively. But much more needs to be done.

IF WE ARE SERIOUS about addressing rural depopulation, then land reform in its broadest sense – encompassing changes to both land ownership and land use in the public interest – needs to be front and centre in future rural policy development as a matter of social justice.

By coincidence, there’s an opportunity to start doing exactly that. A couple of weeks ago the Scottish Government announced the creation of a ministerial task group on population chaired by Fiona Hyslop, cabinet secretary for tourism, culture and external affairs, with a remit to “consider Scotland’s future population challenges and develop new solutions to address demographic and population change”.

The extent to which the task group takes up the policy cudgels on behalf of rural communities imperilled by depopulation will provide an early indication of where their needs sit in the policy pecking order.

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