

“The Scottish Government’s recent programme for government included proposals for land reform. Please consider the impact these proposals might have on the sustainable management of land by communities and social enterprises, and the potential for developing a similar land reform agenda in the rest of the UK.”

Recent weeks have witnessed the Scottish Parliament’s First Minister, Nicola Sturgeon, announce a raft of radical land reform measures for Scotland. These proposals stem from the recommendations of an independent Land Reform Review Group (1), and sit within the Scottish Government’s wider remit of “passing power to our people and communities” (2). Among the measures put forward is the creation of a Land Reform Commission; greater transparency and accountability of land ownership; power for Scottish Ministers to remove barriers to sustainable development caused by the scale and pattern of land ownership; a duty of community engagement on landowning charitable trustees; an end to business rates exemption for shooting and deerstalking where the added revenue should in turn treble the value of the current Scottish Land Fund; and the modernisation of the Common Good principle to promote greater flexibility of land use (3).

Although the details of these proposals are yet to be established, what is clear is that there is now definite momentum behind a real challenge to the traditional power-base of land ownership and management in Scotland. At present, half of the country’s privately held land is in the hands of just 432 owners (4). This concentration of power is well illustrated by looking at forestry ownership, which is dominated by the state, landed estates, and investors. Such a picture does not favour Scotland’s communities. Instead, a more varied ownership pattern that incorporates community owners and co-operatives “would arguably be more likely to deliver far greater diversity in approaches and models of management leading to greater innovation, investment and commitment to local economies, in addition to greater resilience to external change” (5). In this light, it is clear why the Scottish government hopes that the current proposals will facilitate the development of “stronger, more resilient, and independent communities” and “generate, support, promote, and deliver new relationships between land, people, economy and environment” (6).

For some, the idea that communities in Scotland, and the UK more generally, might be able to collectively own and manage land and its associated natural resources will raise question marks. Yet ever since the American ecologist Garrett Hardin posed his famous “Tragedy of the Commons” dilemma (7), a huge body of work has emerged that has demonstrated how communities and groups around the world, acting without assistance or intervention by a larger government, have been able to collectively devise rules that enable them to sustainably manage land and natural resources (8, 9, 10). In Scotland, the sort of tangible impact that the current reform proposals may have on the ability of communities to sustainably manage land is hinted at in existing projects and initiatives.

Among these are examples such as the island of Gigha, where in 2002 the local community secured external funding and set up a development trust to buy the island from its private landlord, putting decision-making power in the hands of the inhabitants at a time when their population was declining and their economy was imploding (11). The buy-out has resulted in “a spectacular reversal of Gigha’s slide towards complete population collapse” (12), as a number of privately and community-owned businesses have been established, new homes have been built and old homes refurbished, and a renewable energy scheme has been developed (13). Across Scotland there is also evidence of the interest in community food-growing initiatives, which include allotments, community gardens and orchards, land-share, and community-supported agriculture. Initiatives like these, coupled with local food distribution networks, offer a wide range of social, recreational, educational and environmental benefits that promote sustainable land management (14). However, a recent report by a working

group of the Scottish Government recognises that “land availability is the major constraint limiting community growing” (15).

This is why the current reform proposals are potentially so important. By allowing communities more access to land ownership as well as flexible management opportunities, the measures promise to unlock, develop, and support the capacity of Scotland’s people to collectively use land in a way which is more sustainable and equitable than at present. Yet here two issues arise. The first concerns the framing of “community management” in a UK context because the community seldom, if ever, acts alone. Instead, a good deal of partnership working is usually required in order to achieve viable, long-lasting outcomes. These partnerships typically involve a community group and one or more actors from the public, private and voluntary sectors. Again returning to the example of the community buy-out on Gigha, Professor Jim Hunter, a leading Scottish historian, notes that “the key lesson...is that it works best when there is real and substantial partnership between local community and government...it requires real investment of government time and resources to support the transition to local control” (12). Likewise, communities will often benefit from partnering with social enterprises who have the necessary knowledge, skills, and experience to support the project.

The second issue concerns the ability of communities to sustainably manage land given the great challenges of our time, including climate change, population growth, and an unstable, globalised economy. Here we can look to the most recent developments in environmental and natural resource governance theory for answers. This work also highlights the importance of partnership building, through what is often termed “co-management” (16, 17). Put simply, co-management can be considered a power-sharing arrangement between the community, government, and other third-party actors (18). Such an arrangement, when it is able to encourage problem solving and joint learning in response to social and environmental feedback, offers a way of making governance systems more adaptive and resilient in the face of change and uncertainty (19, 20). From this perspective, community groups are not framed as lone managers, but instead complement the work of government bodies and others by contributing to one or more management activities as the situation dictates (21).

Factors that encourage the emergence of co-management are wider enabling legislation, institution building at the local level, trust, and channels of communication that connect the different actors involved within and across levels of organisation (17, 22). Whilst several of the Scottish Government’s proposed reform measures provide enabling legislation and government support, many of the other aspects that characterise a more adaptive co-management system again points to the potential role of social enterprises and other similar entities. By drawing on their experience, these groups are able to develop relationships of trust, open channels of communication by facilitating partnership working, and support and consult on the creation of local institutions that serve as a framework for community action and dispute resolution.

The recent developments in Scotland also beg the question as to whether a similar land reform agenda might be established for the rest of the UK. At present there is some evidence to suggest that it might. Looking at the wider political context, a number of factors lend support to this idea. Some of these factors are unintentional, such as the UK Government’s current austerity measures, where cuts to public services are resulting in scaled-down public bodies who increasingly depend on outside assistance from the private sector, community groups, charities, and social enterprises. This recognition of the potential importance of citizen engagement leads to some of the more intentional political factors in support of a land reform agenda, such as the coalition government’s “Big Society” rhetoric and new legislation contained in the Localism Act (23). On the other side of the political divide, earlier this year the Labour leader, Ed Milliband, proposed that “the future is local” (24).

Across the UK there is a host of examples demonstrating how communities and social enterprises are becoming involved in land and natural resource management. These include community farms and food co-operatives, forest-management associations, and catchment-based management groups made up of concerned and interested citizens (25, 26, 27). Again, in many instances what is important is the way these groups and organisations work with others in the public, private, and voluntary sectors in order to achieve sustainable outcomes that benefit society and the environment. Yet these projects and initiatives also face a number of barriers. These include the lack of a formal framework for groups and social enterprises to work within; a lack of options for communities and social enterprises who wish to share management responsibility for land-based natural resources, rather than owning them outright; a lack of quality information on government-owned and managed land; and a planning system that does not allow for the flexibility of land use that a good deal of community-led environmental initiatives rely upon (28).

The measures outlined at the beginning of this article would go a long way to overcoming these barriers, giving credence to the idea that a similar land reform agenda to the one currently underway in Scotland could be of much benefit elsewhere. By providing a legislative framework to encourage and support the participation of communities and social enterprises undertaking flexible modes of land ownership and management, such a land reform agenda offers hope of enhancing the resilience of environmental governance in the UK. This could prove crucial in the years ahead as the effects of climate change take hold. The agenda also serves as a tool for furthering environmental and social justice. However, it is this last point which serves as a warning against the success of implementing a new, radical land reform agenda. As with Scotland, there are powerful interests that stand to lose out if the proposals were to find legislative backing. These interests can be expected to put up a fight, and it will only be through strong leadership and a galvanised public and voluntary sector that real change can be achieved.

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