

Draft Land Use Strategy

Summary

LINK believes that the Scottish Government's draft Land Use Strategy:

- presents direction and aspiration but is not a strategy with clear goals and action;
- is weak and unambitious, and fails to set out proposals and policies to meet Governments' *sustainable* land use objectives, as required by the Climate Change (Scotland) Act 2009;
- needs a more definitive statement on how it should be incorporated into governance structures and influence other existing land use strategies;
- is limited in scope, particularly with regard to urban land use, landscape, recreation and access & transport;
- lacks clarity regarding how it will be developed and monitored; and
- in its current form, is unlikely to move Scotland towards more sustainable use of land resources and the optimal delivery of multiple benefits.

Background

This briefing contains Scottish Environment LINK's response to the Scottish Government's draft Land Use Strategy consultation. Under section 57 of the Climate Change (Scotland) Act 2009 a land use strategy must be laid before Parliament by 31st March 2011. Scottish Environment LINK produced its vision for a sustainable land use strategy in '[Living with the Land](#)'¹ in 2009. The Act requires the Land Use Strategy (LUS) to contribute to "sustainable development", and NOT to the current Scottish Government's purpose of "increasing sustainable economic growth". The LUS therefore needs to use the internationally accepted principles of sustainable development, particularly "living within environmental limits" and "ensuring a strong, healthy and just society"².

General comments

- The draft Land Use Strategy (LUS) is a 'direction setter' and aspirational document, not a strategy with clear goals and action. LINK welcomes many of the ideas and statements within the draft LUS but believes that it is weak in its vision, goals and action, and it lacks specific commitments. In its current form, it is unlikely to move Scotland towards more sustainable use of land resources and the optimal delivery of multiple benefits, such as GHG emission reduction, increased physical activity, resilient communities and diverse local economies.
- Crucially, the draft LUS fails to live up to the expectations inherent in the 2009 Act as it does not set out proposals and policies to meet the Scottish Governments' *sustainable* land use objectives. The strategy laid before parliament should include actions and timescales to achieve sustainable land use. As such LINK believes that the draft is seriously inadequate and should be redrafted in order that the Scottish Government is able to lay a *strategy* before Parliament.
- Furthermore, the accompanying Strategic Environmental Assessment (SEA) does not provide a proper assessment of the impacts. An SEA should be a critical assessment of the impacts, not a document supportive of the Strategy. The main difficulty facing the SEA is that the LUS lacks specific, measurable and timebound objectives and does not identify clearly the proposals, policies and actions that the Scottish Government will pursue in order to achieve such objectives. In the absence of these, the SEA is an assessment of the rather broad and largely positive intentions of the LUS and, therefore not surprisingly, reaches positive conclusions. But this is not the same as, and does not constitute, an effective assessment of the significant environmental effects of the draft Strategy.

Vision

- Our reading of the Act is that the primary purpose of the LUS is to help achieve sustainable land use and thereby contribute to climate change mitigation and adaptation and sustainable

¹ <http://www.scotlink.org/files/publication/LINKReports/LINKReportLivingwithLand.pdf>

² http://www.defra.gov.uk/sustainable/government/publications/uk-strategy/documents/SecFut_complete.pdf

development. This is a much wider and all encompassing purpose than that suggested in the Introduction to the draft LUS

- This vision gives primacy to economic goals rather than focusing on sustainable land use which, in turn, can help us respond to climate change and give rise to economic, social and environmental benefits
- The consultation document does not present a clear vision for implementing a sustainable land use strategy. The vision states in general terms what it wants from land but offers no vision of working in a different way. LINK believes that new approaches are needed and should be part of the vision.
- LINK believes that an opportunity has been missed to make a visionary policy statement, to capture the imagination and to inspire future stewardship of Scotland's land. We consider the vision might be better expressed along the following lines:

'The Scottish Government's vision is to achieve more integrated and sustainable use of finite land resources in both urban and rural areas, thereby contributing to GHG emission reduction targets being met by 2020 and 2050, facilitating adaptation to climate change and contributing to prosperous and successful businesses, thriving natural and cultural environments and landscapes and vibrant communities.'

Principles and Strategic Direction

- The principles within the draft LUS are weakly worded and are not explicit regarding ways of working. For example, there is no inclusion of sustainable development principles: We wish to see the five key principles of sustainable development clearly stated in the LUS. These are:
 - Living within environmental limits
 - Ensuring a strong, healthy and just society
 - Achieving a sustainable economy
 - Promoting good governance,
 - And, using sound science responsibly

These principles capture a number of other principles that we consider important in relation to sustainable land use, including the 'polluter pays principle' and the 'precautionary principle'.

- LINK believes that the draft maintains the status quo regarding the economic benefits of productive primary land uses. It does not recognise the significant economic benefits that can be generated by other land uses, ecosystem services and multi-functional land use.
- 'Better consideration of the natural environment' is a disappointingly weak strategic direction given the current undervaluing and state of the natural environment, and the need for change.
- The principles for government policy-making need to make it quite clear that all future sectoral strategies for agriculture, energy, forestry, landscape, planning, tourism and transport strategies must comply with the principles of the LUS. In addition LINK believes that the LUS sits alongside the National Planning Framework (NPF2) and that together, these should provide high level direction for sustainable land use policy in Scotland.

Status

- The draft LUS does recognise its role in 'providing strategic direction', and usefully describes itself as a "key reference point". However, it needs a more definitive statement on how this Strategy should be incorporated into governance structures. Stating that *'..future planning*

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policy can be informed by this strategy is insufficient. We would like more detail regarding its authority and how it will guide future policy making.

- LINK believes that the draft LUS should identify how gaps in government policy or strategy will be filled in order to achieve the vision and how these will be reviewed.

Scope

- The scope of the LUS, in terms of types of land use, land use benefits, and processes and systems, is not well defined, which makes its use open to confusion and argument.
- The draft LUS is clear in its role in supporting efforts to mitigate GHG emissions and to support Scotland's adaptation to climate change.
- LINK believes there is insufficient emphasis in the document regarding how to make urban land use sustainable. The emphasis is almost entirely on land-based jobs and rural communities with no substantive reference to the environmental aspects of urban land use.
- Tourism and outdoor recreation's economic importance in Scotland (worth >5% of GDP) is overlooked.
- It neglects less tangible objectives, such as landscape, cultural benefits, health, quality of life and sense of place.
- An integrated approach to policy and practice is missing. This would have a framework which considered:
 - Vibrant human communities
 - Diversity of land uses
 - Diversity of roles for custodians of the land
 - Well managed natural systems
 - Well cared for natural communities
 - Well maintained landscapes
 - People and places that provide a rich inheritance and dynamic future

Such a framework would help promote an integrated rather than a sectoral use of land. For example we know that transport is the fastest growing source of carbon emissions, yet there is no framework proposed that would allow a joined up approach linking transport implications to land use decisions³.

Process

- The draft LUS lacks clarity regarding how it will be developed and monitored in the future. LINK believes that this should be clear from the start and be related to the requirements of the Climate Change (Scotland) Act 2009.
- Little direction is provided on how the LUS should be interpreted locally and regionally.
- LINK strongly recommends that the Scottish Government establishes a high-level Stakeholder Forum to follow and guide the implementation of the Land Use Strategy.

Policy Integration

- The draft LUS's approach acknowledges the need to balance various conflicting requirements but does not offer a legislative or administrative governance structure to achieve this.

Ecosystem Approach

- The draft LUS recognises the ecosystem approach but the stated action in section 4.3 '*Demonstrate how the ecosystem approach might be taken into account*' falls short of what

³ See The Royal Society of Edinburgh – committee report "the Future of Scotland's Hills and Islands" www.royalsoced.org.uk/enquiries/hill_and_island_areas/full_report.pdf

LINK believes in the need for ecosystems to underpin decision making on land use in order to cost effectively achieve multiple benefits for society.

- Disappointingly, there is no reference to the importance of safeguarding land with wild land character. National Planning Framework 2 states: "Some of Scotland's remoter mountain and coastal areas possess an elemental quality from which many people derive psychological and spiritual benefits. Such areas are very sensitive to any form of development or intrusive human activity and great care should be taken to safeguard their wild land character". Scottish Planning Policy states: "Areas of wild land character in some of Scotland's remoter upland, mountain and coastal areas are very sensitive to any form of development or intrusive human activity and planning authorities should safeguard the character of these areas in the development plan". This important Scottish asset merits a commitment in the LUS to its protection and enhancement.
- Ecological coherence should be an objective of the Land Use Strategy. We believe that this is essential to enable our protected areas and the species they hold to be able to respond to climate change, inappropriate development and other challenges

Delivery

- The actions identified are weak and unambitious, and do not constitute policies and proposals as required by the Act. These are merely a direction setting agenda for further work to investigate ideas and direct Government thinking. In their current vague and unworkable form they are likely to have little impact on ensuring more sustainable use of land resources in the future.
- We appreciate that it would be difficult to establish SMART objectives – Specific, Measurable, Action-orientated, Realistic and Timebound – in a strategy such as this given the wide range of activities and issues it covers. But we consider that greater effort could be made to be as specific and action-orientated as possible in the way the objectives are expressed and to be clearer about timescales
- In our view 'Proposals for Monitoring' is extremely weak and does not establish a monitoring framework that will be able to determine either positive or adverse environmental effects of the LUS. We therefore reiterate our comments that the LUS must include specific proposals, policies and actions, with timetables for implementation, and suggest that it is against these that the effects of the LUS should be measured.
- We also believe that assessment of the LUS – its implementation and impacts – should be ongoing throughout the five years of the Strategy and not left until its final year. We suggest that annual reporting by the Scottish Government on progress with implementation would be helpful. We have also called for a National Stakeholder Forum as a means of engaging stakeholders in implementation of the LUS and believe this could also be helpful in the monitoring process.

This consultation response is supported by the following members of LINK's Sustainable Land Use Task Force:

- Archaeology Scotland
- Woodland Trust Scotland
- John Muir Trust
- Association for the Protection of Rural Scotland
- Scottish Allotments and Gardens Society
- Plantlife Scotland
- RSPB Scotland
- Living Streets Scotland
- Scottish Wildlife Trust
- WWF Scotland
- National Trust for Scotland
- Ramblers Scotland

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