

LAND REFORM AND RURAL HOUSING

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Content

- How could land reform help rural communities secure affordable housing?
- The Land Reform Bill: strengths and weaknesses.
- What next?

The possibilities: first some context

- Housing is central to the life and vitality of rural communities
- Housing can't be detached from local economy, public and private service provision
- The popularity of rural living:
 - 2003-13 Scottish national population growth from 5.1m to 5.3m = 5.1%
 - Large urban areas = +5.0%, other urban areas = 3.3% ie relative decline
 - Accessible small towns = +1.6%, remote small towns = +0.8%, also decline
 - Accessible rural = +14.1%, remote rural = +6.1%, now housing over 1m people (200k increase)

The possibilities: the problem

- "In rural parts of Scotland, the unavailability of appropriate and affordable housing is frequently a major obstacle to achieving sustainable communities. Many rural communities face the challenge of arresting depopulation and, in particular, retaining young people within, what are often, fragile local settlements."
- Bridging the gap between development cost and what is affordable
- Development costs pushed up by relatively thin contractor markets, access to site incurs relatively high transport costs, ground condition (eg thin subsoil), land prices
- Land availability and planning
- Affordability can be reduced by nature of local employment
- Second and holiday homes and house prices

The possibilities: what could be on the agenda

Measures to:

- “Enable more people in rural and urban Scotland to have a stake in the **ownership, governance, management and use of land**, which will lead to a greater diversity of land ownership, and ownership types, in Scotland
- Assist with the **acquisition and management of land**...by communities, to make stronger, more resilient, and independent communities which have an even greater stake in their development
- Generate, support, promote, and deliver **new relationships** between land, people, economy and environment in Scotland”

Proposals

- Ensure that tenants of tied housing have proper tenancy agreements
- Longer and more secure tenancies
- Housing Land Corporation to accelerate supply of land for housing, esp affordable housing, in rural areas. Monitored to check that smaller settlements are not overlooked.
- Zoning of land for affordable housing around rural settlements
- Public right of pre-emption at point of sale, provided purchase in public interest
- The Compulsory Sale Order
- Housing re-use power
- Majority land assembly/ Urban and Rural Partnership Zones

The Land Reform Bill

The strengths

- Sustainable development power
- Information on land ownership

The weaknesses

- No HLC
- No CSO
- No UPZ
- Nothing about tied housing tenancies
- Nothing about land allocations

Housing Land Corporation

- Intended as Scotland-wide organisation, directly responsible to Ministers for ensuring enough building land immediately available for new housing in both urban and rural areas
- Strong emphasis on placemaking & infrastructure provision, working closely with local authorities to achieve delivery
- Encourage medium-sized & smaller builders or self-build to avoid over-reliance on large housebuilders
- In rural areas, operate sensitively in villages and small rural communities, not just in larger rural settlements
- Supported by Shelter’s Commission on Housing and Wellbeing & similar to proposal from RICS Scotland Housing Commission but evidently widely opposed by Scottish local authorities

Compulsory Sale Orders

- Enable local authorities to force land which has been vacant or derelict for undue period of time (& possibly empty buildings) to be sold by public auction to the highest bidder
- Almost 11,000 hectares of vacant or derelict land in Scotland – over 50% in same condition since at least 1995
- Planning statement needed + process to discourage speculation
- Community bodies could request councils to take action
- Strong support from Community Land Scotland, Rural Housing Scotland, Scottish Empty Homes Partnership, Scotland's Town Partnership & Shelter Scotland
- In response to parliamentary amendment from Sarah Boyack MSP, Minister (Dr Aileen McLeod) said "If the Government is re-elected, we would want to bring CSOs forward in the next session as part of our on-going programme of land reform measures"

Urban (or Rural?) Partnership Zones

- Intended to speed up (re-)development of land in fragmented ownership through promoting co-operation between existing landowners, the local authority & prospective developer(s)
- Local authority declares UPZ, selects development partner(s) by open competition & invites existing owners to join the JV
- UPZ declarations by masterplan or development brief, which establishes planning status & ensures quality design
- Existing owners share in development returns, financially or by taking reserved space in new scheme. If CPO needed, carefully targeted, with land vesting directly in JV company
- Draws on, but extends best practice of public-private JVs with international experience of land 'readjustment' or pooling'

The way forward

Address the weaknesses:

- Sustainable development power at Ministerial level
- Land assembly, UPZ and the HLC
- CSO
- Tenancies – arguably better in Housing legislation
- Land allocations - arguably better in Planning legislation: the planning review...?

Sources

- Quotations from Land Reform Review Group (2014) *The Land of Scotland and the Common Good*