

## Stakeholder Advisory Group Report (2023-24)

Scotland's Land Reform Futures project, Rural Futures theme



*(Photograph of SAG field trip, March 2024 - courtesy of Malcolm Combe)*

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## Acknowledgements

We would like to thank all those sitting on the Stakeholder Advisory Group for the Scottish Land Reform Futures project who have given their time to participate in the meetings that are summarised in this report. This research has been supported by the Scottish Government's [Strategic Research Programme 2022 to 2027](#).

## Context

The Scottish Government funds a programme of strategic research through the Rural and Environment Science and Analytical Services (RESAS) division to advance the evidence base in the development of rural affairs, food and environment policies.

One of the themes of the research programme is on Rural Futures. This theme is made up of three research topics: rural communities, rural economy and land reform. There are two projects within each topic led by Scotland's Rural College (SRUC) and James Hutton Institute (JHI). Within the land reform topic, the two projects are:

- 1) Impacts of land-based financial support mechanisms on land values, landownership diversification and land use outcomes
- 2) [Scotland's Land Reform Futures](#)

This report sits within a series of publications as part of this theme.

The Scotland's Land Reform Futures project will support Scottish Government policy development regarding community land ownership and engagement in land use decision-making, as well as increasing understanding of the role of landownership and land reform in achieving net zero emissions and reversing biodiversity decline in Scotland. This project will also build knowledge of Scottish land reform processes and outcomes that can contribute to wider global land issues requiring urgent attention.

As part of the Scotland's Land Reform Futures project objective to incorporate a transdisciplinary, deliberative knowledge exchange-based dimension into the research process, a Stakeholder Advisory Group was formed. The project seeks to facilitate learning between and within Scotland's landownership and land use sectors, and to create spaces for different kinds of knowledge to inform future land reform policy development. The project also adheres to an open science approach, involving practitioners, policymakers, organisations, and community members throughout the research process. With these aims in mind, through a process of purposive sampling across land sectors, and drawing on knowledge and contacts within the research team, 14 participants were recruited to the Stakeholder Advisory Group. The participants have been drawn from across the land ownership and land use sector in Scotland and include: land reform-focussed academic researchers; representatives of communities that own land or have an interest in issues around land ownership and use; organisations engaged in issues relating to land ownership and land use; relevant government agencies or public bodies (e.g. the Scottish Land Commission and NatureScot); and relevant Scottish Government policy teams.

After indicating their willingness to join the Stakeholder Advisory Group, all members were invited to participate in a baseline interview with a member of the research team. In addition to informing the stakeholders about the research project, the aim of these interviews was to learn about their perspectives, experiences and values around Scottish land reform. The interview questions <sup>1</sup>explored the stakeholders'

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<sup>1</sup> [https://land-reform-futures.hutton.ac.uk/sites/land-reform-futures.hutton.ac.uk/files/inline-files/D3.2%20Stakeholder%20Advisory%20Group%20report%202023%20-%20FINAL\\_0.docx](https://land-reform-futures.hutton.ac.uk/sites/land-reform-futures.hutton.ac.uk/files/inline-files/D3.2%20Stakeholder%20Advisory%20Group%20report%202023%20-%20FINAL_0.docx)

thoughts on current and future outcomes of Scottish land reform, and the key issues and knowledge gaps that should be addressed in relation to land reform.

Since the project's inception in 2022, the Stakeholder Advisory Group (SAG) has met three times a year, both online and in-person. During these meetings, the SAG is offered information about the progress of the Scotland's Land Reform Futures project. Space is made for feedback and discussion relevant to ongoing research activities. This report outlines the main points discussed in the Stakeholder Advisory Group meetings over the course of its second year

# Key discussion points with the Stakeholder Advisory Group

## Introduction

The following document outlines the key points discussed during the three Stakeholder Advisory Group meetings that were held over the course of the project's second year, 2023-24. Two of these meetings were held online, in September and December 2023. The third meeting was hybrid, held both online and in-person in Pitlochry. The content of the discussions is arranged below by theme.

## 1. Public values associated with land

Over the course of the year, SAG members were invited to discuss issues relating to the 'public values of land' research activity, led by Laure Kuhfuss (JHI). One objective of this project is to explore situations where a community had the intention to acquire land but, for some reason, had failed. The idea was to compare the motivations and expected values associated with both successful and unsuccessful land acquisitions.

SAG members pointed to examples of communities that had not managed to purchase assets, particularly smaller-scale building projects. Project PI, Annie McKee, emphasised the project's concern about buildings on land and the difficulty of disentangling values associated with specific buildings, and suggested a case study involving a community that had rejected an attempt to buy land in Morvern, so as to understand different values and motivations. SAG members also suggested examining the case of the Ettrick and Yarrow Community Development Company, which faced challenges in acquiring land from Forest and Land Scotland. Members also suggested the Scottish Land Fund as a good source of information.

## 2. Alternative forms of land governance

There was some discussion of alternative forms of land governance in connection to the multi-scale research project planned for 2024 (led by Naomi Beingessner, James Hutton Institute) on the interconnections and fit between current land reform legislative pathways, land management decision-making, and wider Scottish Government policy goals. Naomi described a potential example case study involving a community organisation with a unique governance model, emphasising that the project aimed to explore alternative forms of land governance that fall outside more standard approaches. SAG members pointed out the Scottish Land Commission's current focus on governance, highlighting the need for research to explore systemic changes. They also noted the importance of avoiding duplication and suggested collaboration on research that aligned with the Scottish Land Commission's goals.

There was some discussion around identifying different governance models, barriers to community ownership, and the role of finance in supporting alternative land models. SAG members emphasised the importance of exploring ways to leverage smaller investors for cooperative share investments in agricultural land. There was interest in understanding different public organisations' behaviour in relation to land transfers and exploring models from third-sector organisations. SAG members also warned against over-simplifying models and drivers of change (e.g. with regard to innovation and diversity).

SAG members agreed that they would be interested in understanding differences in influence and community engagement across scales. The project team agreed; they hope to uncover connections and relationships across scales to understand how different governance arrangements affect local initiatives.

## 3. Legal mechanisms for biodiversity protection

Over the course of the year, Annie McKee, James Hutton Institute, hosted SAG discussions on the legal mechanisms for biodiversity protection to inform the upcoming project on this theme. The project will focus

on understanding how policies influence land management for biodiversity and ecological restoration. Engaging with Annie McKee's experience in New Zealand, where the use of voluntary conservation burdens has proved popular, integrating peer-support mechanisms and bringing positive reputational benefits for landowners, the project aims to understand the potential for the use of voluntary conservation burdens, or barriers to their use, in the Scottish context.

SAG members cautioned against duplication of efforts in a complex and expert-driven field (e.g. with regard to the development of biodiversity credits). They also raised questions regarding scale and the different approaches to biodiversity and natural capital investment, and noted the importance of establishing how new research would add value to the debates over land management for ecological restoration. One suggestion was to focus on how biodiversity initiatives are working on the ground (i.e. 'providing a sense check'), and the potential impact on land managers, considering positives and negatives (and who is being 'missed out'). Other suggestions included looking at biodiversity net gain in terms of infrastructure developments (e.g. how companies are providing compensation for biodiversity losses due to development). A final suggestion involved looking at how biodiversity credits would work on community-owned land.

SAG members shared a [link](#) to some work already carried out on conservation burdens in the UK and there was some discussion of similar work by Natural England. SAG members noted the diversity of existing mechanisms and tools in Scotland aimed at encouraging landowner biodiversity conservation efforts and the potential unintended consequences of conservation burdens. These included their potential to constrain future land management decisions concerning biodiversity conservation itself (what's 'right' now might not be 'right' in the future), but also to prevent social needs such as house building from being met, as well as its deflationary impact on land values as a liability or burden against the asset. SAG members noted that the pros and cons of such a mechanism would need to be fully investigated and pointed out that there may be more attractive, lower risk alternatives in Scotland. The researchers involved with this project incorporated this feedback to broaden the scope of the research on biodiversity, which will now explore the uses of, opportunities for and barriers to Land Management Agreements for the purposes of biodiversity enhancement.

## **4. Engaging with communities**

### ***Co-producing research with communities***

There were several discussions over the course of the year around the co-production of research with communities and non-extractive research practices. In the September 2023 SAG meeting, Annabel Pinker (JHI) described the development of a co-production approach to working with case study communities across the Scotland's Land Reform Futures project. She outlined the goal of fostering a strong, reciprocal relationship between researchers and communities to avoid research fatigue and ensure meaningful collaboration. She explained that co-production involves equal participation, acknowledgment of local knowledge, and tangible benefits for participants. Annabel and SAG members referred to a recent unpublished report by CLAN (Community Land Academic Network), which outlines good practice in community participation in social research. Annabel noted the usefulness of this work, especially for the upcoming project on community land ownership, and expressed the intention to integrate CLAN's principles into this project.

SAG members reflected on the importance of sharing results and ensuring that research is perceived as relevant by communities. This discussion also highlighted the diversity of communities and the different approaches needed to do research with them, as well as the importance of considering factors such as landowner perceptions, alternative models, and public landownership.

SAG members were supportive of developing principles that would nurture good relations with different communities/groups. They noted the potential challenge of research fatigue, and felt the need for trust and reciprocity was core to 'good practice', irrespective of the type of community or organisation. Annabel

mentioned the difficulty in allocating sufficient time for relationship building within the constraints of research projects.

### ***Developing a non-extractive citizen science approach to research***

During the September 2023 and March 2024 SAG meetings, Sam Poskitt (JHI) led discussions on the citizen science project that will form part of 'Scotland's Land Reform Futures', and non-extractive research practices. Discussion points included considering what kind of data and methodology may be involved, and to what extent citizens themselves would be undertaking data collection/analysis (and how to ensure this is not 'intense' or too demanding). He noted that this research would likely involve spatial data and qualitative data collection (i.e. using narrative analysis to explore aspirations). SAG members pointed out that this proposed research aligns closely with community place planning and suggested that methods with participating citizen researchers could include video diaries, photo elicitation, etc.

During the March 2024 meeting, Sam elaborated further on extractive research practices, which often see researchers hiving knowledge from the communities they work with, before repackaging it and reproducing in academic outputs. He noted that traditional research practices have tended to place communities in a less powerful position, putting them at the beck and call of research institutions. He also said that Citizen Science could sometimes be perceived as requiring non-researchers to do research without payment. More recent Citizen Science projects have instead tried to carry out projects in a more reciprocal way, enabling participants to be involved in doing and shaping the research and producing outputs. Sam raised the question of what the citizen science research activity, as part of the Scotland Land Reform Futures project, could look like in practice.

SAG members noted that an essential starting point for citizen science would be to ask communities what data they wanted, what kind of knowledge they wanted to gain. They said that working with community trusts offers the opportunity to ask them what would help them move towards their goals, finding out where there are skills or knowledge gaps and how researchers could support these. Bobby Macaulay's (University of Highlands and Islands) work on the Community Landownership Academic Network (CLAN), and his practice of making the first step of any research project to ask communities what they wanted from research carried out with them, was raised again. CLAN are trying to bring together a library of resources of research with community groups to prevent groups from becoming over researched. Ian Merrell (Scotland's Rural College (SRUC) mentioned that there is a plan to implement a 'dating' service, whereby researchers and communities are brought together over key interests and services needed.

SAG members suggested that the citizen science project could consider if there are common themes emerging about data that people may find helpful. They wondered if there was existing research data that communities could make use of. They noted that researchers could support communities that lacked capacity by facilitating governance or decision-making processes.

## **5. Community Landownership**

Over the course of the year, there were several discussions around community landownership during SAG meetings, particularly in connection to the community landownership research project led by Annabel Pinker (JHI). In the December 2023 meeting, Annabel provided a summary of the project, noting that the key research question is likely to be: How have those living within and/or variously involved with community-owned estates experienced the effects of transitioning to community landownership? One objective of the project is to research the less tangible, cultural aspects of land ownership change and community ownership, which have been under-addressed. Four case studies (selected to reflect different characteristics that are likely to shape how community landownership is unfolding differently) will be investigated to provide comparative analyses of how local people, community landowning initiative staff, and engaged stakeholders recount the social, economic, political, and environmental impacts of community land ownership. The research team welcomed

feedback on proposed localities for case studies, criteria for case study selection, and the value of the research question in providing a novel contribution.

SAG members discussed the characteristics of case studies to be included, noting the significance of community-owned forestry and renewable projects (including both onshore and offshore wind) for community income streams versus those without. They noted that the inclusion of case studies taking novel approaches, such as social enterprises or joint ventures, might also bring interesting insights. The increasing trend towards community-owned estates filling gaps in public service provision was also highlighted, as well as the potential for including an urban case study. One SAG member noted that it would be helpful to find a balance between crofting/non-crofting and island/mainland community land initiatives. This member also offered helpful feedback on an initial longlist of case studies and drew attention to other practitioners who might be able to offer insights on the cases under consideration. These points were taken on board during the selection process for the community landownership project.

## **6. Impacts of land-based financial support mechanisms on land value, landownership diversification and land use outcomes**

Several discussions unfolded over the course of the year in relation to Scotland's Rural College (SRUC)'s project on land values, landownership diversification and land use outcomes. During the December 2023 meeting, there was a discussion regarding the publication of a report (in January 2024) on the role of subsidies in rural land, sales and investment trends<sup>2</sup>. Ian Merrell (SRUC) noted that initial impressions from land agents were that uncertainty around subsidies has had a cooling effect on the market, inducing caution around land purchases. There was some discussion around the effects of capital gains roll over, which could be expected to have more of an impact in upcoming years. Ian said that given the dynamic nature of land price and valuation data, SRUC reports on the issue are designed to be 'living documents' that are regularly updated with up-to-date data.

Ian Merrell (SRUC) also presented SRUC research regarding landowners' and managers' investment strategies and land use decision-making. The intention of this research, he said, is to map ownership over time in order to learn if a sale triggers a land use change or new financial flows associated with it. He said that later in the project, the research team will produce a land ownership typology. The rationale of the typology is to consider land size (in hectares), ownership type, land cover/use, land category, and finally 'of which' statements. The team invited SAG feedback to determine the first level consideration: that of land size (ha) categories or 'bands'.

SAG discussion focused on the degree of heterogeneity in land use and land management at the lower end of the scale, and the benefit of accounting for this with the inclusion of another band at the 100-500 Hectares (ha) level. There were questions about considering land parcels at the 1ha level. However, Ian Merrell (SRUC) cautioned that the Geographical Information Science (GIS) mapping process is very manual and that using a 3ha size floor may be a pragmatic consideration. SAG members highlighted the significant difference between uplands and lowlands, and the associated impact of land quality on the size of land holdings. They noted that the June Agricultural Census might provide useful information and context. Ian noted that altitude was a measure that could be brought into the typology.

During the March 2024 SAG meeting, there was a discussion around how the land ownership typology would be used, both on a micro- and macro-scale, and what the vision was for its future use. SAG members observed that the typology could prove a useful tool for the private landowner and land agent sector, and noted that

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<sup>2</sup>[https://sruc.figshare.com/articles/report/Rural\\_Land\\_Values\\_Sales\\_and\\_Investment\\_Trends\\_Research\\_Briefing\\_/24773286](https://sruc.figshare.com/articles/report/Rural_Land_Values_Sales_and_Investment_Trends_Research_Briefing_/24773286)



from a land management perspective, it would be helpful as a regional land use framework and for land use planning, with the potential to fill in knowledge gaps around current land use across different areas. They noted the relevance of the typology given the drive in Scotland to improve transparency on land ownership and land management, and in the future the typology had the potential to be used by those wishing to publish a land management plan.

However, one SAG member pointed out that monetary flows may be difficult to offer in open-source form, not just because of their sensitivity, but also because it may be difficult to capture everything. Ian Merrell (SRUC) explained that there would be careful thought around how monetary flow values are added, and whether access to this layer would be limited, given that it could cause tension (for example, if neighbouring landowners are in receipt of differing subsidies).

One SAG member raised a question around the Scottish Land Register's perception of the proposed typology. Ian Merrell (SRUC) said that Registers of Scotland had not yet seen the typology, and suggested that an unintended outcome of the project might be an improvement in the Scottish Land Register's data. It was noted that the typology's uniqueness lies in the level of detail it will offer. It would give functionality to Andy Wightman's data, demonstrating what a good land register could look like and thereby pushing the Registers of Scotland data to improve.

One SAG member asked about the size of land parcels in relation to different land areas; for example, does the 3-hectare measurement still apply well to urban areas? Ian noted that the 3-hectare baseline is used because this is the minimum size for the single farm payment. Below 3 hectares, urban areas are introduced and, as an example, this could include a housing estate that has 100 houses on it with 100 deeds. He said that the time and cost that collecting this data would take is not practical for the scale of the research project. It was suggested that the cost of data should be presented as an important finding from this.

A question was raised about what whether the tool's data would be shareable. Ian emphasised the difficulties around data licencing, noting that these meant the maps could not yet be interactive. However, he noted that if Scottish Land and Estates and/or land agents expressed an interest in the tool, there would be greater lobbying potential around the licences.

Also during the March 2024 SAG meeting, there was a brief discussion around upcoming research (to be led by Ian Merrell, SRUC) exploring the motivations and decision-making of different groups who own or manage land in Scotland. He noted that the research would be based on 47 interviews, and would consider how decisions are made at different levels, by individuals, families, small-scale farmers, businesses and companies. He said that different actors would be grouped by motivations, behaviours and goals, and that the research team planned to present the findings as usable visual tools.

SAG members questioned whether this and other project publications bore any relationship with the timing of the Land Reform Bill. It was highlighted that knowledge of the timings of the Land Reform Bill are only known internally within Scottish Government.

## **7. Land Ownership Data in Scotland**

Over the course of the year's meetings, there was some discussion around the availability of land data, particularly that relating to landownership, in relation to the research (led by Keith Matthews, JHI) reviewing land ownership data in Scotland. SAG members reiterated the need for transparent land ownership data whilst maintaining data privacy, and for pan-governmental cooperation in order to bring this about.

During the March 2024 SAG meeting, Keith presented the [Review of Land Ownership Data in Scotland](#), the result of work done on open data and transparency over the course of the first two years of the Scotland Land Reform Futures project. The research aimed to examine the current sources of rural land ownership

data in Scotland, how comprehensive the coverage of Scotland is, and data accessibility and potential uses. Data sets on ownership and tenure were put together in March 2023, then reviewed by expert stakeholders, leading to substantial changes. RESAS also made recommendations on the accessibility of the document, changing the way that the data is presented. Keith noted that the publication, published on March 5<sup>th</sup> 2024, was shared on 'X', where, by the time of the SAG meeting on March 8<sup>th</sup>, it had reached an audience of around 15000 people, and there had been around 175 downloads of the article. Eighteen sources of data were used, with a couple more suggested by the SAG, and a range of 10 criteria were examined. Keith noted that there had been interactions with different actors around land tenure data, including discussions with the Land Reform Bill team in Scottish Government in relation to definitions; and a link made to the AD|ARC project (<https://adrwales.org/projects/adarc/>) to establish if the Review's data could be included in its Trusted Research Environment. Keith said that conversations were underway with the Scottish Land Commission and Dark Matter Labs around the Land Relationships Register, and the possibility of building another iteration of the Register using ownership and other tenure data to support Scottish Government policy processes.

The discussion that followed touched on relationships between land ownership data and other datasets. Keith explained that the research team had been working to combine datasets from Who Owns Scotland's<sup>3</sup> version of the land register's data, along with rural payments and inspections data from the Integrated Administration and Control System (IACS), as well as data from the Land Parcel Identification System (LPIS). Keith noted that in the future, land tenure data (and potentially field level tenure data) could be added in, and suggested that this addition would lead to questions around 'who is using the land?', especially in the case of rented land.

SAG members asked why it was difficult to collect financial data from a large amount of people; they wondered if it was because it was necessary to gain permission from each individual. Keith explained that to have a comprehensive map of 100 entities, showing financial flows or subsidy types, a lot of the data is in the public domain if a landholding is above a certain size, but it isn't mapped out, and smaller holdings are missed. He said that the complete picture was not available. He noted that this data would ideally be accessible to communities, and that Sam's work on Citizen Science would hopefully generate ideas on how this could be done.

There was a brief discussion around data transparency, with examples drawn from France and Finland, where there are open cadastres. There was also some discussion around sending publications directly to the SAG at the time that they are published. SAG members said that journalists had contacted them to seek comment on the Review of Land Ownership Data in Scotland before they had seen the report. This evolved into a discussion around the value that the SAG adds to this project and that in some cases, SAG input prior to paper publication may be welcome. It was agreed that action will be taken to ensure that the SAG will be made aware of all forthcoming publications and links to published reports will also be sent round at the time of publication.

## **8. The role of the Stakeholder Advisory Group**

Throughout the year, there were ongoing discussions regarding the role, form and impact of the Stakeholder Advisory Group. The research team reiterated the usefulness of the SAG's input into the research process. As described above in relation to the biodiversity and community landownership projects, the SAG discussions summarised in the sections proved very valuable to the research team, particularly in orienting research, honing research questions and making case study selections.

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<sup>3</sup> <https://whoownsscotland.org.uk/>

The research team also expressed their desire for the relationship with the SAG to be mutually beneficial. On this, SAG members said that they valued the opportunity to participate in SAG meetings, noting the usefulness of hearing a diversity of perspectives in a non-combative forum. However, they said it could be difficult to understand how their contributions feed into research development and processes, and into research outputs. There was a general desire to be better informed around how SAG meetings have influenced research design and outcomes. Additionally, given the scope of the research, they noted that it could sometimes be difficult to understand the holistic picture of research and how things fit together. They pointed out that mapping case study locations across all projects might be a useful exercise to understand their geographic spread and to identify any gaps or biases in research locations. The research team restated its concern that the SAG should not be overburdened with information and noted that at times SAG meetings and research cycles and output production did not align. But it was noted that the research team could share updates and outputs more effectively. Whilst it was agreed that online meetings are practical, there was agreement that in-person meetings were particularly useful and enjoyable, and that the team should aim to organise at least one in-person meeting in the coming year.

## Summary

In short, the Stakeholder Advisory Group meetings touched on a range of issues, from the development of a citizen science research component to the legal mechanisms aimed at supporting biodiversity, the impacts of land-based financial support mechanisms on land values, and the broad-based effects of community landownership. These discussions have effectively supported the research process over the course of 2023-4, guiding decisions over how best to orientate research projects and make appropriate case study selections. The feedback from the meetings continues and will continue to inform, guide and shape the Scotland Land Reform Futures project as the team formulates the next steps for the research over the coming year.