

Consultation on a draft Land Use Strategy for Scotland

2016 – 2021

Shelter Scotland's response

Shelter Scotland helps over half a million people every year struggling with bad housing or homelessness through our advice, support and legal services. And we campaign to make sure that, one day, no one will have to turn to us for help.

Given our focus on poor housing and homelessness we have confined our comments on the draft Land Use Strategy to areas which relate to these issues.

Q 1a Do you think that the Vision, Principles for Sustainable Land Use and three long term Objectives are still fit for purpose?

Yes.

Q 1b Please provide your reasons for your answer.

The continued emphasis on wellbeing is particularly welcome. In general terms the links between land and housing policy should be strengthened throughout the land use policy, exploring how policy initiatives which cross both these areas can advance the wellbeing of Scotland's population.

Given that the largest aspect of land value in Scotland is tied up in our homes – an estimated £331 billion in 2015;¹ more than double Scotland's GDP² – it is essential that the land use strategy makes reference to housing.³ Shelter Scotland would like to see the

¹ Savills UK, 'Total value of UK homes passes £6 trillion mark', 18 January 2016
<http://www.savills.co.uk/news/article/72418/198296-0/01/2016/total-value-of-uk-homes-passes-£6-trillion-mark>

² Scottish Government, Quarterly National Accounts, 2015 Q2
<http://www.gov.scot/Topics/Statistics/Browse/Economy/QNA2015Q2>

³ See also Shelter Scotland's response to the Scottish Government's consultation on the future of land reform,
http://scotland.shelter.org.uk/professional_resources/policy_library/policy_library_folder/a_consultation_on_the_future_of_land_reform_in_scotland_-_shelter_scotland_response

relationship between land use and housing explored in greater detail throughout the strategy.

Specifically we recommend that the land use strategy highlights importance of housing's role in advancing wellbeing, building on the recommendations of the Independent Commission on Housing and Wellbeing.⁴ The commission's report called for a step-change in affordable house delivery in Scotland to advance the wellbeing of Scotland's population. Therefore the land use strategy should also reference instances where land policy can make a difference to objectives related to housing, for example ensuring that there is a sufficient supply of land to provide for new affordable housing.

Policy Alignment

Q 3a Is the relationship as set out in the draft Land Use Strategy 2016 – 2021 clear?'

The relationship is on the whole clear, however, greater emphasis on the links between strategies could be made where there are elements of cross over.

Q 3b Do you have any comments on the relationship between the LUS and Scotland's Economic Strategy 2015, National Planning Framework, National Marine Plan and other relevant policies?

To ensure that major policy Scottish Government objectives are achieved – for example those relating to the delivery of affordable housing – greater links should be made between the strategies. Focusing on the delivery of affordable housing, the government's economic strategy for 2015 describes an adequate supply of affordable housing as “*essential for growth and in supporting local communities tackle inequalities*”.⁵ The strategy also references the steps being taken by the Scottish Government to bring empty properties back into use specifically for use as affordable housing.⁶

Clearly then policies relating to land – including the ability of local authorities and registered social landlords to secure land which is suitable for affordable housing, and

⁴ Independent Commission on Housing and Wellbeing, 'A blueprint for Scotland's Future', 2015 <http://housingandwellbeing.org/>

⁵ p.40, Scotland's Economic Strategy 2015, <http://www.gov.scot/Publications/2015/03/5984>

⁶ p.47, Scotland's Economic Strategy 2015, <http://www.gov.scot/Publications/2015/03/5984>

the tools available to local authorities to bring empty properties back into use – are of central strategic importance to the delivery of housing.

Indeed, this importance is referenced in Scotland's Third National Planning Framework. In the context of the delivery of housing the Scottish Government states that: "*there will be a need to ensure a generous supply of housing land in sustainable places where people want to live, providing enough homes and supporting economic growth*".⁷ Looking specifically at the delivery of affordable housing the strategy states that government "*will work with housing providers and the development sector to support housing development and encourage innovative approaches to affordable housing*".⁸

Given the interrelated nature of these strategies and objectives relevant to housing delivery and how they relate to land policy, there is a strong argument for a more explicit reference to how the land use strategy complements other Scottish Government strategies which reference housing delivery.

Q 5 How could the content of the current Scottish Forestry Strategy be updated to better reflect the Objectives and Principles of the Land Use Strategy and other key priorities?

The Forestry Commission can play a key role in delivering affordable housing in rural communities around Scotland. Affordable housing built on Forestry Commission land through the National Forest Land Scheme⁹ is a good example of this in action, and Shelter Scotland believes the Scottish Government should explore how provision of affordable housing through bodies such as the Forestry Commission can be expanded. This should build on good examples such as Ardgeal Kincaig developed by the Highlands Small Communities Housing Trust.¹⁰

⁷ Para. 2.18, Scotland's Third National Planning Framework, 2014
<http://www.gov.scot/Publications/2014/06/3539/downloads>

⁸ Para. 6.10, Scotland's Third National Planning Framework, 2014
<http://www.gov.scot/Publications/2014/06/3539/downloads>

⁹ Forestry Commission Scotland, National Forest Land Scheme
<http://scotland.forestry.gov.uk/supporting/strategy-policy-guidance/communities/national-forest-land-scheme-nfls>

¹⁰ http://www.hscht.co.uk/site2010/site10/pages/documents/Ardgeal_000.pdf

Land Reform

In light of evidence provided to the Parliament in connection with the Land Reform (Scotland) Bill, we intend to explore further the potential advantages of an overarching policy statement that deals with ownership, use and management of land.

Q 6a Do you consider that there could be advantages in having a single policy statement about land which deals with ownership, use and management?

Shelter Scotland agree that a single policy statement in relation to land use, ownership and management is needed. This should play an important role in linking together other Scottish Government strategic policy objectives, including those which relate to the delivery of an adequate supply of affordable housing and bringing empty properties back into use.

Specifically such a policy should outline how the Scottish Government will facilitate the securing of a suitable supply of land specifically for affordable housing. Shelter Scotland, the Chartered Institute of Housing Scotland and the Scottish Federation of Housing Associations commissioned research into the Scotland-wide need for affordable housing which found that we need to build at least 12,000 affordable houses per year for five years to match current and future need for affordable housing.¹¹ This represents 64.2 per cent of the expected net increase in households in Scotland (18,704) over the next five years. Given the scale of this challenge is it essential that such a policy statement makes explicit reference to the mechanics of the delivery of affordable housing and how this relates to land.

Such a policy statement should also put priority on the use of vacant property and brownfield land to secure the additional housing that Scotland needs for its expanding population. The Scottish Derelict and Vacant Land Survey recorded almost 11,000 hectares of derelict and vacant land in Scotland in 2014¹² and there are an estimated 27,000 long term empty private homes in Scotland.¹³ From an environmental and sustainability perspective it makes sense to focus efforts on bringing land and property of

¹¹ Shelter Scotland, Affordable Housing Need in Scotland, 2015, http://scotland.shelter.org.uk/professional_resources/policy_library/policy_library_folder/affordable_housing_need_in_scotland_-_summary_report_september_2015

¹² Scottish Government, Scottish Vacant and Derelict Land Survey 2013 <http://www.gov.scot/Publications/2014/02/7170>

¹³ Scottish Government data

this type back into use, and the Scottish Government should examine the barriers which hold back development on such sites.

In relation to vacant and derelict property Shelter Scotland hosts the Scottish Empty Homes Partnership, funded by the Scottish Government to help bring empty properties back into use. To ensure that work of the partnership is effective as possible it is key that local authorities have the powers they need to bring empty properties back into use. Consequently we would want to see the policy statement explicitly including reference buildings and property as well as land. We have articulated in representations to the Rural Affairs, Climate Change and the Environment Committee considering the Land Reform Bill a number of concerns about a lack of enforcement powers to deal with cases of absentee ownership and properties remaining vacant long term with no hope of reuse. We would see any policy statement as the first step in developing powers and processes for addressing this issue of vacant and derelict land and property.

Specifically, we believe the land reform agenda would be greatly strengthened with the inclusion of a new power to enable local authorities to bring more long term empty private properties back into use. We want to see a Compulsory Sale Order (CSO) power for long term empty properties and a mechanism for communities to compel local authorities to take action over long term empty properties.

Local authorities report that current compulsory purchase order legislation is inappropriate for this purpose and as a result they do not use it to bring long term empty properties back into use. Introducing a CSO would help local authorities and communities tackle the long term empty properties that blight communities which can currently be extremely difficult to remedy. It would do this by giving local authorities a legal right to force a long term empty property onto the open market for sale with the purpose of securing its reuse.

We would want such a power to have an emphasis on long term empty buildings and land in both urban and rural locations where the owner has demonstrated no realistic plans to reuse the property over a prolonged period of time. This power would only be used as a last resort where other mechanisms to bring the properties back into use have failed. The best practice process promoted by the Scottish Empty Homes Partnership for encouraging empty property to be brought back into use has several interlinked steps, the last of which would be the use of this enforcement power.

We believe a CSO for vacant and derelict land and buildings is in line with the spirit of the land reform process, to enable Scotland's land and property to benefit the whole of society rather than just land and property owners.

Ideally we would like to see a Land Use Strategy and policy statement on land including a plan for moving towards the adoption of such a power, and at the very least the strategy should state explicitly that the Scottish Government position is that it is not acceptable to indefinitely leave either land or property unused. At a time when the country is facing such a housing supply shortage we should be making every effort to ensure that unused property or land that is suitable for residential accommodation is able to have that potential realised.

Q 6b Do you have any comments on the relationship between current land related policies and how these would relate to a single policy statement?

As outlined in our answer to Q3b above, Shelter Scotland strongly recommends that any such policy statement makes explicit reference to other Scottish Government priorities which are contingent on effective policies relating to land, for example the need to deliver an effective land supply for affordable house building.

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