



Land Use in England Committee

Corrected oral evidence: Land use in England

Monday 20 June 2022

3.30 pm

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Members present: Lord Cameron of Dillington (The Chair); Baroness Bakewell of Hardington Mandeville; Lord Borwick; Lord Curry of Kirkharle; Lord Goddard of Stockport; Lord Grantchester; Lord Harlech; The Earl of Leicester; Baroness Mallalieu; Baroness Redfern; Lord Watts; Baroness Young of Old Scone.

Evidence Session No. 16

Heard in Public

Questions 169 - 177

Witnesses

I: Hamish Trench, Chief Executive, Scottish Land Commission; Max Hislop, Director, Clyde Climate Forest; David Miller, Knowledge Exchange Coordinator, James Hutton Institute.

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Examination of Witnesses

Hamish Trench, Max Hislop and David Miller.

Q169 **The Chair:** Welcome to the evidence session of the Land Use in England Committee, and welcome to our witnesses from Scotland. We have Max Hislop, director of Clyde Climate Forest, David Miller, director of land use at the James Hutton Institute, and Hamish Trench, chief executive of the Scottish Land Commission. You should have in front of you a list of interests that have been declared by members of the committee. The meeting is being broadcast live via the parliamentary website. A transcript of the meeting will be taken and published on the committee website, but you will have the opportunity to make corrections to that transcript where necessary.

I am sorry about that very formal introduction. I hope you will feel relaxed from now on. I will ask the first question, if that is all right, which is largely for Hamish. Could you tell us about the Scottish Land Commission, why it was set up, how it works, what is covered in its remit, who it reports to in the Scottish Government and how it implements its policies on the ground? It is quite a large question and I am happy for all three of you to take time to answer it.

Hamish Trench: Thank you. It is very good to join you this afternoon. I will have a go at giving you an overview of the land commission. We were set up by the 2016 Land Reform (Scotland) Act, and the underlying purpose was really to move land reform from a stop-start process to a continuous process of reform.

In governance terms, we are a small advisory NDPB. We have six commissioners, including the tenant farming commissioner, and a small staff of around 16 people. We report to the Minister for Environment and Land Reform in the Scottish Government, although of course our work inevitably crosses many different government portfolios. We have broadly two roles. We provide advice on policy legislation and support good practice on the ground. In terms of policy and legislative advice, we have a role to carry out research and analysis, and we have provided advice on topics like vacant and derelict land, housing land supply, the scale and concentration of land ownership, taxation, and regional land use partnerships.

Our good practice work is framed very much by Scotland's land rights and responsibility statement, which is a core statement approved by the Scottish Parliament. Its six principles are really about an effective balance of public and private interests in land, and we provide guidance on reasonable expectations on the ground for practice, working directly with landowners, land managers and communities through a series of protocols, guidance and casework.

One other role I would flag is that we also directly support the tenant farming commissioner, who has particular functions to improve relationships between agricultural landlords and tenants. Overall, I would emphasise that we see our role, and indeed land reform and reforms to

ownership and use, as being as much about culture change and practice as about legislative change. In some ways, that is where a commission at arm's length from government can add value and help work through these issues with stakeholders on the ground. I will stop there for now.

The Chair: Just as a matter of interest, you devise the framework. How does it get implemented? Who does the implementation and how do you get your ideas to take place on the ground? I know that you have these pilot schemes, but perhaps you could explain a bit more about those—the regional land use partnerships and so on.

Hamish Trench: I should be clear that the commission is an advisory one, so our role is to advise government, and not just government but the Scottish Parliament and stakeholders directly. We do not have a direct responsibility for policy delivery. For example, the Government are now leading the piloting of the five regional land use partnerships. Our role was to provide initial advice on how they could be set up. We are providing some support, but it is the Scottish Government who are leading on delivering that.

Where we do have a more direct role is in the good practice and land rights responsibilities. We have a casework role, and we provide guidance directly to landowners, land managers and communities on the ground through that.

The Chair: Do either of the other two witnesses have anything to add to those descriptions of the implementation and so on?

David Miller: I might just add that the land commission, since it has come into being, has stimulated a lot of understanding and new research into systems of land in various aspects in Scotland and internationally. The commission's sponsorship of that research—I need to declare that the James Hutton Institute receives some of that—has certainly stimulated a lot of new connections and thinking across sectors in Scotland on a broad range of perspectives on the ownership, the tenure and the futures of land stock.

The Chair: Thank you very much. I once spent an hour in your company in Aberdeen, going through the work that you were doing—many years ago, mind you.

Q170 **Lord Harlech:** Could you tell us about your work priorities, how your work intersects with the land use agenda, and what international, national, regional and local regulation and other guidance you deal with on a regular basis? What general observations do you have on your country's governance frameworks?

Max Hislop: Perhaps, as I have not yet spoken, I will pitch in first. I am the director of the Clyde Climate Forest, which is based in Glasgow City Region. This particular project was launched just a year ago and has the headline ambition of facilitating the planting of 18 million trees in the next 10 years in response to the climate emergency that we are all in the depths of at the moment. It is not a numbers game, although planting a

lot of trees is important, but really about getting the right trees in the right places, which is, if you like, land use strategy in itself.

My priorities are about bringing about a doubling of the current rate of tree planting in Glasgow City Region and striving to plant something in the order of 9,000 hectares over the next decade. It is also about getting broadleaf woodlands planted in the right places to connect up woodland habitats, and about planting lots of new urban trees to give more resilience to vulnerable communities in Greater Glasgow. In order to do that, we will be needing to engage with communities and landowners, retain political support and secure the necessary resources to bring about those objectives.

In terms of the national, regional and local regulation and guidance that we intersect with, the Scottish Government's climate change plan is a national plan that we are focused on. The ambition of increasing our woodland cover by 9,000 hectares is related to the Scottish Government's target of increasing woodland cover by 3% over the next 10 years or so.

We are referred to in the national planning framework for Scotland, which is great, of course, when we want to talk with people in the Scottish Government. There has also been reference to the Clyde Climate Forest in the Scottish Government's programme for change. Perhaps the most important thing that we intersect with is Scottish Forestry's forestry grant scheme, which will provide a lot of the necessary funding to see those trees planted.

At a regional level, the Clyde Climate Forest has been borne out of a regional green infrastructure plan. We call it a green network blueprint, which identifies the range of interventions that will be necessary to reinstate a healthy green infrastructure network right across the region, delivering a whole range of benefits, not least in relation to the climate emergency.

The Chair: Max, public landowners are different, but how do you get the private landowners to plant the trees that you want them to plant in the place where you want them to plant them?

Max Hislop: Well, there is the rub, I suppose. We need to be meeting with landowners face to face and discussing their business needs with them, but also how trees can fit into their business requirements, perhaps as farmers or other types of landowners.

The Chair: Do you have extra grants that you can give, over and above the normal planting grants that the Forestry Commission gives?

Max Hislop: We are about to have an additional grant for very targeted delivery of tree planting in those locations, which will create habitat links. For part of what we are trying to achieve, there will be an additional grant just for the Clyde Climate Forest to help to link up our existing woodland habitat networks. Other than that, for wider woodland

expansion it is really just about demonstrating the value of planting trees on land. There are enhanced grant rates for tree planting in central Scotland, and many landowners are not aware of that.

Q171 **Baroness Young of Old Scone:** Do you experience any land use conflicts in your work—for example, where you spot an area where you want a specific tree planting purpose to be achieved and, all of a sudden, it is allocated or bought or something else happens to it that does not fit in with the plan? Does the Scottish Land Commission work to help with those sorts of conflicts?

Max Hislop: If we will work to the maxim of the right tree in the right place, we have to ensure that we are not conflicting with other land uses or priority land uses, particularly sensitive habitats or sites like peatland sites; it would be counterproductive if we were to plant trees on those. There is certainly a whole issue around potential conflicts of land use or trade-offs between various options. I can hand over to Hamish to talk about the land use commission's role.

Baroness Young of Old Scone: I was really hoping that you would comment on Hamish, rather than Hamish commenting on Hamish. Is the framework that the Scottish Land Commission has adopted and its work helpful in avoiding these conflicts, or does it not really operate at that level?

Max Hislop: So far, it has not operated at that level. I am aware of the work of the land use commission and very supportive of what it is doing, but we are at our early stages. As I say, we are only a year into our work, but undoubtedly in the discussions that Hamish was talking about, in particular with tenant farmers and that sort of thing, this is a really important sector, and understanding the needs of tenants and the landowners themselves is of vital importance if we are to make headway in bringing about the kind of land use change that we are talking about in our region.

Q172 **Baroness Redfern:** Can I just follow on from that question? We are talking about possible conflicts. I am looking at the urban areas where you have public, private and local authorities. How will that work?

Max Hislop: A really important stakeholder in the Clyde Climate Forest are the local authorities—the eight councils that make up Glasgow City Region. I should say that, at a political level, they are hugely supportive of this initiative, but, of course, when you get down to individual departments in councils, there are a whole load of issues that they are having to deal with, often with very restricted and tightening budgets. If you can imagine, those officers are working in green spaces and in parks. They would like perhaps to be doing more imaginative things like creating new woodlands, but, of course, that just makes their job more complicated and there are no new resources available for that. Part of what we have to do is to find solutions to those. How do we bring new resources to bear to bring about those changes?

Baroness Redfern: There is, of course, the variety of trees that you can

plant in an urban area as well. That makes it a bit more difficult.

Max Hislop: Yes. Urban areas are often very hostile for tree growing, so you have to choose the right kinds of trees to grow in these tough conditions. That is why in London, for example, you see so many London planes. They are very popular, but they are not native trees. It is very much about choosing the right tree for the right place in those urban situations. Skills for understanding trees and needs are really important, and passing on that knowledge and helping landowners to understand that, whether they are public agencies or authorities or private organisations, is part of our role.

Baroness Redfern: Scotland is unique in having urban centres only about 40 or 50 miles away from the coast, so is that another dynamic you have to overcome?

Max Hislop: Of course, Scotland has its own particular climatic factors, and it is really important to choose the right trees for those prevailing weather conditions.

The Chair: David, about five minutes ago you wanted to come in. What would you like to say?

David Miller: Max was going to open the batting. I was just going to offer to do that, but he has done so, so I will wait until he has finished.

The Chair: Have you finished, Max?

Max Hislop: Yes, I hope I have answered that question from my perspective.

The Chair: You have.

Baroness Redfern: Yes.

The Chair: David, it is your turn now, if you want to come in.

David Miller: I frame my response in relation to the research that the James Hutton Institute is principally responsible for, either for delivering the Scottish Government's strategic research programme or funding from other sources.

The one I will point to is the European Union's Horizon programme, because a significant part of our focus is on visions for rural areas and, in those visions, the frameworks that can enable them to be realised. Those visions are articulated in the EU's long-term vision for rural areas and its rural action plan and, last week, the rural pact. In Scotland, there is a close alignment with the long-term vision for rural areas and aspects of the land use strategy, which is why I make reference to it now.

That brings me to a couple of elements that are on deliveries of land use, how land use change aligns with people's visions, and where the visions are delivering to global aspirations or obligations—climate neutrality, reversing the loss of biodiversity, human and social rights—with those on

the ground wanting to deliver on those aspirations, alongside, of course, making a living and living, working and recreating in rural Scotland and beyond.

I start by noting that, because, right now, the Scottish, UK and European perspectives—and the global one, I suggest—are looking forwards on how land use and its changes will deliver on mitigating climate change, adapting to change, protecting and enhancing biodiversity, and thinking about timelines, which are quite short, to 30 years hence or nearby, and the trajectories of change needing to be quicker.

Therefore, the link that I would like to make is the research that we are doing on attitudes and motivations of people's perspectives on change going on around them—renewable energy, afforestation, peatland restoration—and the understanding of those changes, the appreciation and the benefits of them, but also the fears or uncertainties that that raises in some communities, including rural ones, with respect to some areas helping to deliver to the benefit of others that may not be quite so evident to themselves locally.

It is the link between change, place and people, which is where some of our research is directing. That sets the framework for our thinking about the land use strategy, what it delivers, and what land use change has to offer and needs to deliver going forward.

Hamish Trench: Just to add briefly to David's points about change, one of the things we see is that net zero is clearly upping the pace and scale of land use change, and carrying public confidence through that is increasingly important, because we are seeing conflicts in terms of land use choices play out, particularly, for example, in woodland expansion and farming, which are an obvious current live example. The expectations for greater accountability and transparency in the way that the governance structures handle these choices are just rising and rising at the moment.

Q173 **Lord Grantchester:** I am interested in that last answer regarding accelerating land use for net zero, but how does the Scottish approach to land use integrate and support wider government targets around tackling climate change, net zero, biodiversity and nature restoration? What lessons have been learned?

David Miller: From my perspective, the Scottish approach is one that is very closely connecting to delivery of land use change on the climate change and net-zero topics. The forestry strategy, and the history of the forestry strategies and their ambitions for about the last 30 years, has been pointing broadly in the same direction.

The clarity of ambition is very clear and the mechanisms are becoming in place. Peatland ACTION has been very successful, I suggest, in helping deliver on peatland restoration. Max has referred to some of the programmes linking to woodland. It goes back to Hamish's comment that bringing people along with it is the key thing. The coherence in policies

through the land use strategy and its connections with the others is probably quite high, but it is not necessarily entirely obvious to all the actors as to what the relationships are between what they do and how the bigger picture or aspiration is realised.

Hamish Trench: I agree with David. The policy direction in Scotland is really clear for net zero and climate, and woodland creation and peatland restoration are a success. We are seeing about 10,000 hectares a year of new woodland being created. On peatland restoration, it is quite hard to keep up with the demand from landowners for restoration at the moment. One of the big new areas is the Scottish Government embracing private finance in natural capital, and being very active in seeking to develop new natural capital markets, but with a focus on responsible investment.

Again, just to come back to some of the risks, in Scotland we are very aware at the moment of the just transition risks in terms of the new investment coming in behind the climate objectives on land use. Certainly, for us at the commission, a very current focus of advice for government is how to manage some of the risks of a significant amount of private finance coming into Scotland's land use, in terms of where the benefits flow and how they are directed at the end of the day.

Lord Grantchester: In terms of specific technologies and alternatives in terms of delivering net zero into different areas, how is that decided? Is there some overarching infrastructure outlook for development purposes that has an influence here? How does that work with policy direction while making firm decisions and choices for how a specific technology or application for net zero is achieved?

David Miller: There are some really interesting developments in the technologies about which we are just asked there. The internet of things, which is a phrase that many will have heard of in different contexts, is being deployed in agriculture and forestry, and broader land use, monitoring carbon emissions in real time from soils and aggregated up from farms. Although this is largely still in implementation phase, but really being tested, it is true to say that the direction of travel here is consistent with what we refer to as open science and open data—monitoring and measurement, voluntarily or compulsorily, and making more information available on what changes are taking place.

One of the hardest to recognise is greenhouse gas emissions. It is easier to see trees or going to an electric car, but it is less easy to understand what the translation is into reductions in greenhouse gas emissions. The deployment of sensors across our landscape in very unobtrusive ways is one of the technologies that is here and now and being deployed large-scale. The Scottish Government's new approach to encouraging farmers to monitor and report on carbon in soils is one of the initiatives. That is going to be seen in large measure over large areas, and will become just as commonplace as having your mobile phone or your smartwatch reporting on environmental change as well.

Q174 **Baroness Mallalieu:** Scotland has some years' experience now of having a land use strategy. From what each of you have said, it seems to me that you have concentrated on advice, guidance and research rather than being prescriptive, and are not as yet operating on the level of resolving conflicts. I would really like to know, probably first from David and Max, what their experience of working using the land use strategy has been. How valuable has it been? We have had a little bit about research from David already. Also, what are the key changes that took place between the first and the third strategy, and what was it that led to those changes being made?

Max Hislop: Perhaps this is not the best answer to start with, but I have to be honest and say that I do not use Scotland's land use strategy on a day-to-day basis. It is not a document that I have direct access to. I could get access to it, but I do not feel the need for it. I suspect that it operates at a higher level than I do on a day-to-day basis. It is possible that the land use strategy drives cogs that affect what I do on a day-to-day basis, but I do not interact with it directly on a day-to-day basis. I am aware of it, but it is not a document that I use.

David Miller: As an institute, we were involved in some of the preparatory work for first strategy and its summit in 2010, if I remember correctly. The research links with land use strategy one were very close and very tight. We can point to how land use strategy one informed some of the activities that are now coming to fruition.

I might say that land use strategy two was probably a bit quieter—other priorities may have superseded it—but land use strategy three came along last year in the preparations and the lead-up to COP 26 in Glasgow. The land use strategy and alignment with planning and what the aspirations and delivery from COP 26 were going to be are tightly connected, and we see momentum developed as a consequence of that. The pilots of the regional land use partnerships probably are to the fore in that. They are only pilots, of course, so they will take their own routes in the next year.

I would point to two things that link through your question, I hope, in my answer anyway. One is that the most significant thing in the land use strategy one was the development of quite novel principles, as in the development of principles to do with land use, which, in itself, was a novelty. Those principles have been adopted or listened to. Officers from the Scottish Government and their agencies have been invited to speak in Northern Ireland, and that stimulated debate there about a land strategy, and in other parts of the UK and Europe.

The European Commission's long-term vision for rural areas picks up on some of those principles. Without going into vast detail, I will mention two. One is that people should have opportunities to contribute to debates and decisions about land use, and management decisions that affect the lives and their future. One takes some time for the thinking to move through to operation and how that is best tuned in different environments and cultures, urban and rural, and different historical

contexts, but we see some real evidence of how that has made a difference progressively.

Arguably, the formation of Hamish's organisation relates to that as well, and certainly the land use partnerships. In terms of how effective it is, people will have different opinions on the stimulation of debate, but without debate I would argue that you do not get the openness of discussion and the opportunity to bring people along with you to build wind turbines, to plant 10,000 trees a year, or to agree to going to low-carbon vehicles or hydrogen agriculture economies, and therefore these ambitions, which are set out in the strategy.

We will see whether the pilots of the partnerships really do deliver on the proposals that were set out in number one. I will close in saying that the proposal in land use strategy one for an integrated database has now come to the fore in partly supporting the land use partnerships, but much more widely in terms of the operation of government and its agencies and people. The use of and principle of open data and open science was not foreseen, but a very early marker for that was in land use strategy one. It is not yet a given, but it is a requirement for organisations like ours in the public sector, and increasingly the private sector, as it delivers on making information available to help decision-making and making that available transparently.

The Chair: We are getting slightly short on time, so could I ask for your answers to be slightly briefer than perhaps you have just given us? Hamish, did you want to come in on that question about the implementation?

Hamish Trench: One of the things that has changed is that, when the first strategy was published, it was, essentially, the only reference point for land. Since then, of course, we have had the land rights and responsibilities statement come alongside it, and a much wider land reform process around it. The land use strategy sets out the "what" of land use choices. The land rights and responsibilities statement sets out how those choices can be made fairly and accountably.

Max's answer was really interesting and it matches my own perception, which is that the land use strategy has wide stakeholder support for the overall direction, but it does not really drive direction and influence decisions on the ground at the moment, which is absolutely what lies behind certainly our thinking on regional land use partnerships. Really, the only way you can give this kind of strategy traction is at regional scale, where you can grapple with the realistic choices and trade-offs and make those decisions at that scale.

Baroness Mallalieu: Can I ask you about the changes that have occurred? What was it that prompted the changes that led to the second and the third strategies? What was the pressure that caused the changes to be made?

Hamish Trench: Putting it very simply, there is a legislative commitment to review the strategy periodically, so it was a natural process of review. If I am being honest, I am not sure that there was a huge driver in the second iteration of it, but the really strong driver in the third is the climate change plan and net zero.

Lord Curry of Kirkharle: I need to understand the sequence of events, if you do not mind. Was it the need for land reform that led to the land use strategy, or was it the reverse?

Hamish Trench: The two progressed in parallel for some time. The land use strategy came alongside initial stages of land reform. The first land reform Act in the Scottish Parliament was in 2003. The land use strategy progressed alongside that for a while, almost on parallel courses. It now feels like there is a much more integrated approach to these land questions across both.

The Chair: I am still not clear, Hamish, on how your strategy is going to be implemented. You spoke just now about the importance of these regional land use partnerships, which do sound a good idea. How are they going to get landowners of various sorts—public, private and others—to do what the regional partnerships want them to do?

Hamish Trench: What the Scottish Government are piloting at the moment are five regional land use partnerships. They are getting the governance structures together at the moment, and the idea is that they will produce regional land use frameworks by the end of 2023. Those frameworks will be a strategic plan for land use in that region, around which they can then organise wider decision-making.

Our recommendations to government—and remember that we are advisory in this and that it is government that will deliver—were that finance and funding should be tied to those frameworks to really give traction to the decision-making. There is probably still some way to go before we get to that point.

Q175 **Lord Watts:** From your experience, what roles can multifunctional approaches help the situation—for example, bringing together agriculture, forestry, recreation, community development and biodiversity? How can that play a role in better outcomes for nature and for society as a whole, bearing in mind that you have said that we need to bring those bodies together? They are often very difficult because they have different aims and objectives. What is your experience of that in your areas?

Max Hislop: I have been working in one form or another on multifunctional approaches to land use for many years, and I believe that a multifunctional approach delivers better outcomes for people and for the planet. That is why, I guess, I have worked my career in this field.

On the one hand, if we were thinking about a monofunctional approach, you are really talking about zonation of land for a particular land use, whereas, if we are talking about multifunctional, we are talking about

laying up functions on a particular piece of land in order to deliver those multiple outputs, perhaps with multiple outcomes.

The main difference between those is that one is simple to achieve and can be quite efficient in delivering that one outcome, whereas the other one is very complex and requires an awful lot more data and skill in order to achieve a satisfactory outcome. Nevertheless, it is worth that level of additional input and skills development in order to achieve it, essentially because we are in some of the problems we are in now because we have not been thinking holistically about how we manage and sustain our land in the long term. That is why we are seeing a depletion of nature and of the services that it provides.

Lord Watts: Do you need new structures to achieve that aim or can you work in the present structures?

Max Hislop: There needs to be a well-managed approach to integrating between existing structures or, indeed, perhaps setting up new structures as the way forward. Hamish has made reference to the regional land use partnerships, and perhaps that is part of the model that is required to bring the different parties around the table with different levels of understanding so that the right multifunctional approaches and solutions can be identified.

That means that there need to be skills in thinking about trade-offs and how to negotiate between different outcomes and manage conflict. We have talked about trade-offs. We have not talked about conflict, but there will be conflict in these processes. Nevertheless, it is the way forward. We have to recognise that land is a precious and finite resource and that we have to work through for the best solutions to get to what we need from our land, but also to sustain in the future.

Hamish Trench: One of the interesting things that we have seen in Scotland over the last, say, five years is a real step up in engaging communities in land use decisions, and this is partly driven top down from government. There has been a clear expectation set by government, and clear guidance provided. It is also a core part of our work, but it has genuinely been embraced by private landowners as well as others. We are steadily seeing a culture shift in terms of much wider engagement about land use change and land use decisions. I would just reflect that, in itself, that is opening up more opportunities for multifunctional use and multiple objectives.

It is not the whole answer, but as well as the bigger legislative changes, just getting that underlying culture of engaging a wider set of voices in land use decisions has a big part to play in this.

Q176 **Baroness Young of Old Scone:** How does all this fit with the planning system? Is the Scottish Land Commission primarily about the rural land, and is there a divide between land for development and infrastructure and the rest, or does the land commission, and its tools, instruments and advice, cover all land? How effective has it been in balancing between the

planning system and these new processes? Perhaps Hamish would like to talk about how it works in theory, and then the others can talk about how it might work in practice.

Hamish Trench: First of all, as a land commission, our remit very much spans both urban and rural, and our work, for example, focuses on vacant and derelict land through Scotland's urban centres, as well as proposals on housing land supply, urban regeneration and urban community development.

It is clear that one of the unresolved tensions running through this is that some land use decisions are in the town and country planning framework and others are not, largely as a result of historical quirks and practice, yet that still provides a dividing line. Some elements of land use change are taken forward through NPF4 and the planning system, and what we have in Scotland are called regional spatial strategies. There is undoubtedly a job to do to bring those together with the parallel thinking around land use partnerships and the rural sector and to integrate those better at the moment.

Baroness Young of Old Scone: Is there work under way to try to make sure that the regional land use partnerships and strategies are integrated with the planning system?

Hamish Trench: At a local level, that is evolving in each of the pilots, but it is not being resolved at a wider policy level at this point.

Baroness Young of Old Scone: Max and David, do you come up against these dividing lines between the planning system and the rest?

Max Hislop: Certainly I have in my recent career. Prior to working with the Clyde Climate Forest, I was a manager for the regional green network partnership, which was a partnership of a range of public agencies, but also the local planning authorities. As part of that, I did a piece of work to estimate the cost of delivering a central Scotland green network right across central Scotland, covering 15 local authorities. The estimate for the delivery of that multifunctional green infrastructure network was about £1.8 billion, but we estimated that the planning system could potentially deliver a quarter of that if it would only harness its potential.

My perception is that the planning system is very focused on built development and naturally, therefore, is more focused on urban areas. The urban areas are really important in terms of delivering green infrastructure. Although the planning system lays out plans for development, it really responds to development interest, and then it is a question of trying to negotiate delivery of these wider multifunctional benefits layered upon the developer's interest in perhaps building residential houses or office developments and so on. Often, it does not deliver its potential in that regard.

There is a lot of recognition about the importance of green infrastructure and giving us, for example, more resilience in the face of a changing climate or helping to stitch back our habitats and to reverse biodiversity

decline, but the system is not delivering on that, so there is work to be done.

The issue, ultimately, is about being able to measure the benefits that we are talking about in terms of delivering these green infrastructure benefits. It is about having a breadth of skills and planners who are focused on many other things and see this as being perhaps peripheral to their task or just an additional burden in a very tough and high-demand job. It is also because our policies, when it comes to these kinds of areas, are not robust enough. Often, when it comes to decision-making in planning committees, they find it hard to hold the line in terms of these wider benefits.

All in all, the planning system could be delivering a lot, but often does not deliver nearly as much as we would like to see.

David Miller: I have a couple of additional comments to Hamish and Max. I might note that national planning framework four, which is still concluding its consultation, sets out the spatial framework for planning for Scotland, and then the Scottish planning policy picks up on the specifics and the rules.

I will mention this in a moment, but I just note that, from my understanding relating to planning, its purpose is to set out on the ground what the aspirations are for the future uses of land in relation to the overall public policy and private sector objectives. In that regard, it is key to recognise that there are not always win-wins, but that there are trade-offs that planners and planning systems have to undertake with what information is available. That may be in terms of land going out of agriculture into housing, because the projection for housing in some areas is in particular volume or number, or converted into land capture and land area, or increasingly towards renewable energy, whether it is solar farms or wind farms or, for that matter, biomass.

I say that, because the direction of travel cannot always be considered linear. There will be feedback loops, where something may not be quite right, or perhaps a change can be made, and the timeframes for certain decisions and changes in land in relation to planning horizons, and the time horizons for climate neutrality futures, are not always neatly in synchronisation. We might not see, in one generation, the benefits accruing until another generation, so the trade-off might be between generations.

Multifunctionality, to your previous question, is the area and the time in which the planning systems have to set out what our structures are going forward, which might percolate right down to the number of hoses and the infrastructure for transport and schooling and so on in some areas, where, consciously, a decision has been made that that quality of land will no longer be used for rapeseed oil and, therefore, the prospects of tackling a shortage on the provision of oils because of some activities elsewhere in the world—the obvious example here being the conflict in Ukraine—can no longer be as easily tackled in a local environment.

There is an intersection that is needed between planning and food, energy and environmental security. The land use strategies try to get to that, and it is how well we try to articulate it as well as implement it. It is both parts.

Baroness Young of Old Scone: Can I just take that one step further? The big wild card in all of this is the one that you have identified, which is how “self-sufficient” we want to become in agriculture. These decisions are being made by—I cannot remember how many farmers you have in Scotland, but a lot. Perhaps I could ask Hamish whether the processes that are in place at the moment between the planning system and land use generally, and these multiple decisions by landowners who are farmers, are capable of dealing with that and, if so, how.

Hamish Trench: That is a very good question, and I am not sure that the processes that we have at the moment can quite handle the cumulative impacts and assessments that need to be carried out. In reconciling those choices—this comes back to scale—it is relatively easy to be clear at a national level on the suite of priorities that we need to get from our land. It is also relatively easy for an individual landholder to make decisions in their own business context.

Of course, what is really hard is making that join up in a sensible way in the middle, which brings us back to what a sensible scale is to be planning and making some of these trade-offs and choices at some regional or catchment level between the local and national. That is the gap that we still have. I do not think that the current mechanisms deal with the cumulative impacts of those choices.

Lord Harlech: Just as a supplementary on your last point there, and with reference to something earlier that you said, you talked a lot about community engagement, but how does this work in practice? What level of weight is given to that community’s opinion? Who gets the final say on what that piece of land is used for? Is it the land user, the community or the commission? How do these three parts fit together? What if you have this community engagement, but the community does not agree on what it wants? It might want a shopping centre, a forest, a hospital and some wind turbines. How does all of this manifest on the ground?

Hamish Trench: In brief, the engagement needs to be proportionate to the circumstance. The other key point is that engagement is not a veto. The underlying point here is generally to engage and to hear and listen to what other local priorities might be, look for win-wins and opportunities, and make sure that that engagement is genuine at an early enough stage in decision-making. There is no expectation that that should, therefore, determine the outcome.

We have quite a range of guidance in place. We provide direct support to communities and landowners. Over the last few years, both landowners and communities have become much more confident in having this two-way conversation, and it is one where the rights and responsibilities of both parties are emphasised. Communities have a responsibility to

approach this sensibly and responsibly, as well as the land manager and landowner.

Q177 **Baroness Bakewell of Hardington Mandeville:** Are there any key lessons learned from Scotland's land use approach that you would like to highlight to the committee and which could be relevant to the English context?

The Chair: Bear in mind that we have a much higher population density.

Max Hislop: One of the lessons that I have learned working in Glasgow City Region is the value in having good data and evidence about your decisions for land use and making recommendations for land use change. We have benefited from some very innovative land use analysis in Glasgow City Region, which has allowed us to identify key locations for particular habitats in my current job for woodland creation and so on. Without that data, we would be just sticking our finger up in the air and hoping that we come up with the right result. Investing in that kind of data and its analysis is all-important.

I already mentioned the need for people to have skills and capacity to undertake work. That is really important too. It is one thing to have the data, but you need people who can interpret that and make good decisions based on it.

David Miller: I would add a couple of comments. One of the strengths of the Scottish approach is thinking about what the overall objectives are, as tracked and monitored through the national performance framework. There is an articulation of impacts through time. That would be Max's point about data—the importance of measuring and monitoring and transparency there, at least being able to have a debate and a discussion about the direction of travel and the extent to which that can and needs to change, but evolving that further towards the information about how changes are making a difference in one's locality, however that is defined spatially, because, almost certainly, people are interested in the landscape, the water catchment, the seascape, and the area in which they are living or walking.

Is the effort that they are making making a difference? If they are agreeing to, accepting or advocating a change in land, what impact is that having further up the chain? Although the national performance framework does not drill down to all those levels, that is the direction of travel that is easy to see in terms of the provision of information.

That connection is key, and that goes back to the land use strategy again, if I can conclude on that. First of all, there needs to be a mix of voluntary and responsibilities that have resource and authority behind them. It cannot rely only on voluntary approaches. One way or another, the approach is the lesson learned by Scotland. The debate about land use has become that more mature—Hamish said more confident—between actors, but not everybody understands yet that they have a voice in that debate, and there is still quite a long way to go on how that

voice is articulated. There are some approaches being taken, but I will stop at that.

Hamish Trench: I have two brief points that I would come back to. The first is just a recognition of the increasing pace of change in land use and, therefore, the need to really carry public confidence with clearer senses of accountability for the land use choices that we are making. Linked to that, one of the lessons in terms of the land use strategy or, indeed, a land use framework as proposed in England, is that, to give that traction, it really needs to engage at the subnational level or some form of regional or local level. I am aware of the pilots that the food, farming and countryside commission is doing, for example, and it is absolutely that level that will give these frameworks traction in decision-making.

The Chair: Thank you, all three of you, very much indeed for a very good evidence session, and thank you very much for taking the time to be with us.