

Tom Chance, Chief Executive, Community Land Trust Network – Written Evidence (LUE0010)

Submission to the Land Use in England Committee

About the Community Land Trust Network

The Community Land Trust Network is the charity and membership body for 330 Community Land Trusts in England and Wales. It was created in 2010.

We provide services and support to our members; work to develop an effective and sustainable body of expertise in industry to enable their growth; and seek to influence national and local policy to create a supportive environment for community ownership and initiative.

Further information can be found on our website:
<https://www.communitylandtrusts.org.uk>

Summary

This submission principally addresses the following two questions:

3. How might we achieve greater and more effective coordination, integration and delivery of land use policy and management at a central, regional, local and landscape level?

12. Which organisations would be best placed to plan and decide on the allocation of land for the various competing agendas for land use in England, and how should they set about doing so?

We propose that the Government should consider a greater role for local community ownership of land as a means to coordinate, integrate and deliver land uses. The Community Land Trust (CLT) is a recognised model to do so, with legal duties to the social, economic and environmental sustainability of their local area, aligned to the planning system. Greater adoption of CLTs would provide local communities with a democratic process to mediate competing agendas, and a capability to protect or change land uses to advance their sustainability.

The problems

Land uses are of fundamental importance to local communities, but they have little role, influence or power over the nature and outcomes of land use. Long standing issues such as a lack of affordable housing and a shortage of opportunities for new tenant farmers are being added to by emerging trends.

Take, for example, the Government's response to the Glover Review, and its consultation. In our consultation response we noted that Community Land Trusts are bringing forward at least 100 projects in National Parks and Areas of Outstanding Natural Beauty - mostly affordable housing but also workspace, retail, community facilities and landscape conservation. But despite this level of activity, which is growing fast, there was no recognition by the Government of the role of community led initiatives, and no consideration of the capacity of communities to proactively further the aims of protected landscapes.

One emerging area of concern and opportunity is climate change mitigation and resilience. The committee heard that the value of carbon credits is too low to cause a significant amount of change, but that is rapidly changing. Concern about the impact of natural capital markets is most pronounced in Scotland, where the market has developed more rapidly than in England and been characterised by Scotland's more concentrated land ownership.

A forthcoming review of natural capital investment in the UK led by Scotland's Rural College (SRUC) has found that:

- The natural capital and afforestation potential of land is increasingly driving farmland values, rather than its agricultural quality, and forestry investors are increasingly outbidding farming buyers. Non-farming buyers purchased an estimated 40% of farms in the UK over the last 5 years. These trends have accelerated markedly since 2019.
- These commercial drivers do not align to the more holistic view of the environmental, social and economic potential of the land required by the planning system (or the new agricultural subsidy scheme for England).
- Environmental - natural capital markets and timber can lead to a narrow focus on carbon at the expense of biodiversity, flood alleviation and other functions, and can facilitate highly polluting industries to reach net zero with offsets rather than reducing emissions at source.

- Social and economic - a growing disparity between land values and farmland incomes will exclude new entrants from farming, and risks reducing local employment and re-concentrating land ownership at the expense of local communities.
- Among the 16 policy options put forward to reduce risks and enhance the positive impacts of natural capital investment, the authors propose greater support for community land ownership and community-owner partnerships.

The Institute of Welsh Affairs recently produced a scoping report¹ touching on similar issues, with a focus on the policy framework for community empowerment and land ownership. Through discussions and roundtables with a wide range of stakeholders they identified the central role that access to land plays in the sustainability of settlements, particularly small rural settlements. Second homes, a lack of affordable housing for local people and a shortage of opportunities for new entrant farmers are already a significant problem in much of the country. The Institute recommended a range of policies including stronger rights and dedicated funds for communities to purchase land linked to the National TOMs – Themes, Outcomes and Measures – framework for social value.

The planning system is able to take a view on the public interest in changes to land use, and local communities can influence this through the plan-making process and to a lesser extent with comments on applications. But the community has no role, no influence or power, over the use of land where changes that are material to the planning system are not being proposed, such as a change in use from farming to forestry or a change in ownership. Nor does it have any role, influence or power where land is not changing, to the detriment of the local community - for example spatially important land left derelict or underused.

By 'community' we mean at a level similar to parish and town councils, for which there is no equivalent of course in most urban areas.

The committee heard in its evidence session of some examples where there may be a role for the community. For example, in local nature recovery strategies where they are identified as local stakeholders, and the potential role for community organisations in holding conservation covenants.

The solution

¹ <https://www.iwa.wales/our-work/work/our-land-communities-and-land-use/>

In the past 15 years there has been a rapid growth in Community Land Trusts in England as a response to local issues, largely but not exclusively to do with affordable housing. There are 330 incorporated CLTs in England that own over 1,700 homes as well as shops, workspace, pubs, community centres, orchards and farmland. Approximately half of these CLTs are in rural areas.

Two examples illustrate how communities owning land through CLTs can achieve a more effective and sustainable allocation and use of land:

1. Middle Marches CLT emerged from a research project commissioned by Natural England and the National Trust, which own two large tracts of land in the Shropshire Hills AONB. The CLT was incorporated in 2019 as an agile and democratically accountable vehicle to purchase land in between two major NE/NT, with objects to the community benefits, climate resilience and conservation. It has acquired a small water meadow and a 94 acre hill farm, and led work to improve coordination between landowners and farmers in a fragmented ownership landscape.
2. Queen Camel CLT formed in 2011 to steward and use land to support a thriving rural community in South Somerset. It completed 20 affordable homes to meet local needs with Hastoe Housing Association in 2015, and in 2020 purchased a disused village school site from the county council which it converted into a cafe and business space, bringing jobs and life into the village.

Both CLTs see their role as one among many landowners in the area. But they provide a democratic muscle for the community to play a role and have power in the allocation, coordination and delivery of land use in their local area.

They, and the hundreds of other CLTs, are doing so in the absence of any integrated strategy for land use. Where government has sought to empower communities, it has done so with disjointed and toothless policies, for example:

- The Localism Act introduced a Community Right to Bid, which is based on social value rather than the social, economic and environmental framework in the planning system, and which misunderstands the land market leaving communities with a merely symbolic power. The Act also introduced a Community Right to Build which, in our experience, is more costly and bureaucratic than the

planning system, and unhelpfully suggests communities should circumvent rather than work through that system.

- A proposed 'Right to Regenerate' would only give communities powers to acquire land owned by local public bodies, and again is not aligned to the sustainable development framework of the planning system or the social valuation policies in the Green Book.
- The Government's response to Danny Kruger MP's Report: 'Levelling Up Our Communities: Proposals for a New Social Covenant' welcomed the proposal of a Community Right to Serve². In his report, Kruger specifically referenced Community Land Trusts as a model that should become the future of affordable housing. But there has been no connection made with officials in DLUHC working on housing policy, nor with the work in Defra in responding to the Glover Review as noted above.

We would therefore welcome the committee looking specifically at the role of community organisations such as Community Land Trusts in changing land uses, and how the Government can best develop a strategy to bring this to the fore.

Tom Chance
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² <https://www.gov.uk/government/publications/government-response-to-danny-kruger-mps-report-levelling-up-our-communities-proposals-for-a-new-social-covenant/government-response-to-danny-kruger-mps-report-levelling-up-our-communities-proposals-for-a-new-social-covenant>