

The Highland Council
Planning, Development and Infrastructure Committee

17 February 2016

Agenda Item	14
Report No	PDI 12/16

Consultation on the Draft Land Use Strategy for Scotland 2016 - 2021: Highland Council Response

Report by Director of Development and Infrastructure

Summary

This paper summarises the Council response to the Scottish Government's draft Land Use Strategy for Scotland 2016 – 2021. The Committee is asked to note and homologate the response submitted on behalf of the Highland Council on 29 January 2016, and highlight any further comments that can be submitted post the consultation deadline.

1. Background

- 1.1 Scotland's first Land Use Strategy (LUS) was published in 2011. The Strategy represented a new approach by the Scottish Government to land use, recognising land as a fundamental resource for all, setting out a new policy agenda and aspirations for a more integrated and strategic approach to land use.
- 1.2 The Highland Council considered this consultation via the Land Environment and Sustainability Strategy Group on 24 November 2010, and was broadly supportive of the proposed strategy.

2. Current Consultation

- 2.1 There is a statutory requirement under the Climate Change (Scotland) Act 2009 to review the LUS every 5 years. The 2016 – 2021 Land Use Strategy Consultation seeks views on the revised strategy and the proposals and policies that the Scottish Government have set out.
- 2.2 The Vision, Objectives and Strategy as detailed in the first LUS remain unchanged. The consultation takes account of changing policy context (climate change, community empowerment) and the lessons learned from 2 earlier land use pilots. The Consultation seeks views on a suite of proposed priority activities for the next 5 years.

3 Consultation Response

The Council welcomes the opportunity to contribute to the above consultation and submitted the attached response (**Appendix 1**, consultation questionnaire) to the Scottish Government on 29 January 2016.

The response to the consultation was prepared in consultation with Officers in the Development and Infrastructure service. A draft response was circulated to the Leader, Chair and Vice Chair of the Planning, Development and Infrastructure Committee for comment. Due to timescales (final consultation submission 29 January 2016) Committee is now asked to homologate the attached response (**Appendix 1**), the key points of which are highlighted below.

The Highland Council is broadly supportive of the proposed approach highlighted in the consultation document and has the following key points to make:

- the Council concurs with the Scottish Government that the Vision, Objectives and Principles for sustainable land use are still fit for purpose;
- the LUS should be incorporated into all other land use policies in order to be effective document;
- the Council supports the proposed ecosystem approach to land use planning however the process of decision making is of fundamental importance and where effort/resources should be directed;
- further information and awareness raising is required in respect of ecosystem services. In the interim, targeted land use actions across multiple farm units (to achieve multiple benefits) should be prioritised;
- the Council seeks further clarity on the relationship between the LUS and Development planning i.e. How this will work in practice?;
- the Council proposes that the revised LUS should be a material consideration in planning decisions;
- an overarching policy statement about land which deals with ownership, use and management is welcomed;
- the Council supports the establishment of Local Land-use Partnerships and the associated development of Regional Frameworks /Strategies to guide land use decisions. However, resources and further guidance must be made available from the Scottish Government to clarify roles, remit and powers of these groups and the content of frameworks;
- the Council welcomes the focus on the need to encourage climate friendly farming and crofting;
- the Council believes that urban land use is managed effectively by the planning system and, as such, further pilot projects are not required;
- the Historic environment, including historic land use, is an integral part of Scotland's landscapes. The draft LUS makes little reference to the historic environment and fails to integrate the historic environment into the strategy and its proposed policies, we would like to see this addressed; and
- access and recreation as a major land use is poorly addressed in the consultation. This should be fully incorporated into a revised strategy.

4 Implications

4.1 Resource

There are no additional resource implications arising from this report. However the Local Authority is suggested as one delivery mechanism for Local Land Use Partnerships; this would have future resources implications, which will be reported for consideration if they arise.

4.2 Legal

There are no additional legal implications

4.3 Equalities

There are no additional equalities implications arising from this report. The Scottish Government has undertaken an initial assessment of equality issues as part of the Land Use Strategy.

4.4 Climate Change/Carbon Clever

There are no climate change/Carbon Clever implications attached to this report. The draft Land Use strategy has been subject to Strategic Environmental Assessment.

4.5 Risk

There are no risk implications arising from this report.

4.6 Gaelic

There are no Gaelic implications arising from this report

4.7 Rural implications

There are no rural implications arising from this report.

Recommendation

Committee is asked to:

- note and homologate the response submitted on behalf of the Highland Council on 29 January 2016; and
- highlight any further comments that will be submitted post the consultation deadline.

Designation: Director of Development and Infrastructure

Date: 3 February 2016

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Annex 1

Consultation Questions – Land Use Strategy for Scotland 2016 - 2021

Vision, Objectives and Principles

The Land Use Strategy 2016 – 2021 continues the policy direction established in the first Strategy. We consider that the Vision, three long term Objectives and Principles for Sustainable Land Use are still relevant and fit for purpose therefore we propose that they are retained.

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 Vision and principles are still fit for purpose.

The growing significance of climate change, likely impacts and necessary mitigation and adaptation all require joint working, an agreed vision and actions to mitigate and adapt to these circumstances.

Current financial constraints reinforce the need to continue to operate in an integrated, and sustainable manner to achieve the above shared vision and actions.

The protection our locally, nationally and internally important habitat and species and land resources need a sustainable approach to land management if they are to be protected/enhanced and provide the necessary ecosystem services.

Additional work needs to be undertaken to help land managers/users/wider public to fully understand and value the importance of our land resource and the multiple benefits (ecosystem services) it provides.

The desire for communities to engage in land use decision making is welcomed but how this will work in practice needs further consideration and resource allocation by the Government.

The Vision, Objectives and Principles make little if any reference to our built and cultural heritage

Policy Context

This group of policies and proposals is intended to raise awareness and provide clarity in relation to the status and context of the Land Use Strategy and a range of current Scottish Government policies. It covers natural resource management, statutory planning, forestry and the relationship between land ownership, use and management.

Natural Resource Management

Our understanding and thinking about natural resource management and ecosystem services has progressed since the publication of the first Land Use Strategy. We consider that the use of an ecosystems approach is a helpful means to better understand our environment and factor it into decisions. This has been successfully demonstrated in the work of the land use pilot projects in Aberdeenshire and the Scottish Borders.

Policy 1: We are committed to better understanding and managing Scotland's natural resources to enable their fair, wise and productive use, and to conserve stocks of ecosystem services for future generations. We will do this by promoting an ecosystem approach to managing our natural capital.

Q 2a Do you agree that continued use of an ecosystems approach is an effective way to manage Scotland's natural capital? [Yes](#)

Q 2b Please provide reasons for your answer.

[Applying the ecosystem approach is welcomed by THC however the approach is still not fully understood or being implemented widely enough at a local/national level to encourage uptake. Further work: examples, clarity on decision making, guidance and incentives need to be shared/implemented across all sectors to encourage/direct uptake.](#)

[In Highland projects such as the Coigach & Assynt Living Landscape, Flows to the Future and Nevis Landscape Partnership are managing large areas of land for multiple benefits](#)

[The operations for managing land or creating or restoring habitat will stay broadly the same over the coming years, but how actions are targeted could change significantly. THC supports the delivery of targeted, consistent and complimentary management actions over a large number of farm units to the benefit of Scotland's natural capital.](#)

[The ecosystem approach offers a mechanism to manage our natural capital but only if it's tied to collective targeted actions on the ground. The new Environmental Co-operation Action Fund has potential to address local issues beyond the single farm-unit scale if the resulting funding applications are successful and adequate resources are targeted at this measure.](#)

Policy Alignment

We set out the relationship of the LUS2 to key Scottish Government policies including the National Planning Framework 3 and the National Marine Plan as well as a range of sectoral policies such as forestry, agriculture, peatland, and soils.

Policy 2: The Land Use Strategy sits alongside and has informed the National Planning Framework 3, Scottish Planning Policy and the National Marine Plan to support the Scotland's Economic Strategy 2015. Relevant sectoral strategies

(e.g. forestry and agriculture) will take account of the Land Use Strategy Objectives and Principles in their design and delivery.

Q 3a Is the relationship as set out in the draft Land Use Strategy 2016 - 2021 clear?' [Not clear \(Don't Know\)](#)

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?

The Highland Council is unsure how decision making associated with specific Land Use Planning matters and other policies will and can be taken i.e. what policy takes precedence, who makes the final decision and how will the policies align.

THC believe that the Land Use Strategy needs to be embedded in all other policies that relate to land use, it should act as an overarching framework if it is to be effective and understood.

THC seeks further clarify on the relationship between the LUS and National Planning /Local planning policy.

Planning

Planning policy refers to the Land Use Strategy and highlights it as a key document for planning authorities when considering the wider context for development plans. We wish to raise awareness of the relevance of the LUS2 to planners and to enhance their understanding of how the LUS Principles and ecosystems approach to environmental assessment can add value to the planning process.

Policy 3: We will undertake a programme of information and awareness-raising. This will provide:

- more detail and clarity on the relevance of the Land Use Strategy to the planning system;
- information about the added value the Land Use Strategy can bring, particularly to development planning;
- information on the use of an ecosystems approach in Strategic Environmental Assessment (SEA), which in turn supports development planning.

Q 4a Do you think that the activities described above could be useful? [Yes](#)

Q 4b Do you have any suggestions on other kinds of information and activities that could be useful?

The two regional pilot projects in Aberdeenshire and the Borders dealt primarily with land uses that fall out of the statutory planning system, e.g. agriculture, forestry, peatland restoration, the water environment, biodiversity etc. and future regional strategies should continue to follow this approach. THC welcome the recognition

LUS2 gives to the role Planning already plays in delivering LUS objectives and believe that these are embedded in Development Plans.

It will be important in any awareness raising campaign to make clear tangible links to what aspects of planning the LUS2 engagement seeks to address. In terms of adding value to the Development Planning process, real examples from planning practice where LUS1 has informed and benefitted Development Plans is essential. It would be beneficial if the examples used can explain how LUS2 will add value and, specifically, make a tangible difference to land use decision making.

The SEA Process, its purpose and its role in Development Planning is already well established and in THC's experience it is fully integrated, forming a central component in the preparation of plans and supplementary guidance. In Highland SEA is undertaken as an iterative process with the Consultation Authorities and fully embraces an ecosystems approach. It is not clear what the consultation seeks to achieve in this regard, since this is already established good practice.

As with first LUS the revised LUS will be a material consideration in planning decisions

Forestry

Forestry is a key land use, covering around 18% of Scotland. It is also a key contributor to climate change and biodiversity targets. The existing Scottish Forestry Strategy was published in 2006 prior to the publication of the first Land Use Strategy. Given the age of the existing Scottish Forestry Strategy, a review could ensure better alignment between forestry policies and the Land Use Strategy Principles.

<p>Policy 4: We will undertake a review of the Scottish Forestry Strategy.</p>

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?

THC believes that woodlands should continue to be managed sustainably for their multiple benefits and we have the following comments to make:

Communities

Strengthen the connection between communities and the land.

Strengthen the engagement and influence of communities in land use decisions.

National Forest Land Scheme review and provision to provide for increased opportunities for communities in the ownership and management of local forests to deliver greater local benefits and resilience.

Greater emphasis on the importance, contribution and management needs of trees and woodland within the urban environment (TWIST study and iTree).

Environment

Much greater emphasis and understanding on the role of trees and woodlands in tackling climate change.

Better understanding and true value of an Ecosystem Services approach to securing holistic land use decisions and landscape scale working.
Increase the measures in securing the number of SSSI woodlands in 'favorable condition'.

Business

Setting down of a framework and mechanisms to aid the achievement of the stated planting targets and balance between different woodland types. Particular emphasis is required in securing diverse productive woodland in relation to present and future timber industry needs.

Review on the effectiveness of the 'Control of Woodland Removal Policy', particularly in relation to renewable energy projects, and the need to revise and strengthen the justification for woodland removal.

Identify the increasing opportunities of forestry in supporting the vitality of rural communities and the tourism industry.

Increased incentives and mechanisms to secure the integration of appropriate woodland expansion on agricultural and crofting land.

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.

Proposal 1: We will further consider the relationship between current land related policies and the potential advantages of a single policy statement about land which deals with ownership, use and management.

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? **Yes**

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?

The Highland Council has contributed to the recent Scottish Government consultation on land reform and supports the proposal to introduce a land rights and responsibilities statement. The statement will set out a vision and guiding principles for public policy on land rights in Scotland and as such the Council sees no reason why the proposed Land Use Strategy should not build on this statement and set out general policy on land ownership, use and management. It will be important to embed the rights and responsibilities statement within all upcoming policy relating to land use and management in Scotland.

Informed Decision-making

This group of policies and proposals supports decision making with the development of improved data, increased accessibility and wider empowerment of communities and stakeholders in decision-making.

Ecosystem Services Mapping and Tools

We will continue to develop and support the LUS Data Directory, linking in to any future open data discovery sites and we also propose to explore the practicality of developing methods and methodologies to assist in the assessment of land use benefits and opportunities at a more local level.

Policy 5 – We will continue to encourage those holding public data to make it open and available for others to use and will facilitate access to that data via the Land Use Data Directory.

We will explore the development of models and Geographic Information System (GIS) tools to enable assessments of land use/management change.

Q 7a Do you agree that models and GIS tools could help inform decision making about land use/management change? **Yes**

Q 7b Please provide your reasons for your answer.

The experience from both land use partnership pilots would support the use of GIS tools however how information is processed and how decisions are made will determine land use planning on the ground. More emphasis /support should be directed to this end.

The FCS model BEETLE has been in use for a while, (although not widely used). The model provides good visualisation of habitat networks and future habitat/network potential.

In addition better use of existing survey data e.g. Native Woodland Survey and species data on the NBA could be utilised. The NWS Scotland data would give an indication on the relative proportion of an area that has native woodland cover; this is particularly relevant to riparian area management and expansion.

Q 7c Do you think that a baseline ecosystems services mapping tool could be useful? **YES**

Q 7d Do you have any comments on a mapping tool?

Yes, a national baseline will help co-ordinate information locally and nationally and direct priority actions. However the mapping tool should be accessible and simple to use and be able to highlight quick multibenefit wins from the data inputted e.g. riparian buffer zones, riparian woodland creation, links between areas of native habitat, field margin creation etc.

It would also be useful if two reports could be generated from the baseline mapping a) those required by GEAC and b) those beyond the requirement of GEAC but funded through Agri-environment payments.

The mapping tool should also be able to be replicated regularly to monitor success or otherwise.

Regional Land Use Partnerships

Local partnerships can be an effective way of bringing people together to consider land use issues that are relevant to them. We wish to encourage the setting up of regional land use partnerships to help deliver the Land Use Strategy at a local level.

Policy 6 – We will encourage the establishment of regional land use partnerships.

Q 8a Do you agree that regional land use partnerships could be a helpful way to support regional delivery of the Land Use Strategy? **Yes**

Q 8b Who do you think could be best placed to lead these initiatives?

Currently, THC is working with SNH and other land use partners under the auspices of the Highland Environment Forum (working group of the Highland Community Planning Partnership) to explore the possibility of setting up a land use partnership for Highland. A fundamental concern of the group is the lack of funding to undertake a regional strategy/framework and the lack of clarity regarding the role and powers of such a group.

The Council supports the need for a land use strategy and will continue to work with its partners to this end.

Given the continuing resource constraints on the Public Sector, thought should be given to how these local partnerships can be resourced e.g. by Scottish Government funding project officer posts.

Q 8c Can you suggest any alternative means of supporting the delivery of the Land Use Strategy at regional level?

If future pilot projects aim to deliver outcomes similar to the pilot projects, focusing on land uses out with the remit of Planning, then rural land management stakeholders might also be well placed to lead.

Local pilot projects could also be delivered via existing landscape partnerships or forums - e.g. Woodland Forum/ SEPA integrated catchment management groups / Local District Partnerships. However all of these groups would need to be appropriately resourced to carry out this work.

Q 8d Do you have any other comments on this policy? **NO**

Regional Land Use Frameworks

The regional land use pilots in Aberdeenshire and the Scottish Borders have demonstrated the potential benefits of the development of regional land use frameworks which could be used to inform land use/management decisions and to inform development plans. Regional frameworks may also be useful for local authorities as they undertake a range of statutory functions or duties such as managing flood risk or biodiversity.

Proposal 2 – We will further explore the development of regional land use frameworks for rural areas of Scotland.

Q 9a Do you think that regional land use frameworks could be useful to inform regional/local land use decision-making? [Yes](#)

Q 9b Which aspects of this approach do you think require further development?

THC welcomes the recognition that each region may have different land use priorities and that this will dictate the objectives of regional frameworks. On this basis, it is difficult to predict what influence local authorities may have in delivering a regional strategy through the statutory duties they deliver, without knowing what the objectives of a regional framework are and what status these document will have.

In order to address this issue, it is essential that the Scottish Government investigate options to understand the deliverability of regional strategies. This could be through identifying priorities for each region in LUS2 and lead partners for delivery or by listing the scope of key issues that should be considered when regional strategies are being devised. The ready availability of baseline data would support this approach.

Both the pilot projects have a strong technical basis, with complex mapping and modelling methodologies. The outputs are both interesting and commendable, but further investigation is required into how the objectives and opportunities identified can be effectively delivered and what tangible use they will have moving forward.

How a wider audience can engage with such tools should also be considered. Both pilots appear to have had significant resource inputs and multidisciplinary teams. If regional projects are to deliver similar outputs it is essential that funding is in place to facilitate them.

Further development about what a community's priorities and objectives are for local land use change is also required. Whilst stakeholder groups representing national organisations and local Councils/ interest groups are key, the role of local communities and land owners is also essential to realising the underlying aims of the Scottish land reform agenda.

Q 9c Do you have any comments on this proposal?

The alignment of local strategies set in a national framework would offer a good starting point to the above process

Land Use Mediation and Facilitation

Mediation and facilitation have distinct but complementary roles to play in generating better understanding and more effective decision making in relation to land use. We

consider that both mediation and/or facilitation could have a role to play in land use to assist communities and landowners to resolve differences.

Proposal 3 – We will explore options for facilitation and/or mediation between land owners/managers and communities.

Q 10a Do you think that land use mediation or facilitation could be useful in a land use context? [Yes](#)

Q 10b Please provide your reasons for your answer.

[Facilitation will be essential both for the development of land use partnerships but more importantly the associated frameworks and their delivery. Where areas of conflict arise mediation is also likely to be required in order to implement agreed actions on the ground.](#)

Applying the Principles

This group of policies and proposals support the application of the LUS Principles for Sustainable Land Use either as specific projects or used to influence changes on the ground. It includes agriculture and climate change measures, agri-environment targeting, possible approaches to the next CAP programme, urban Scotland and the uplands.

Agriculture

The Future of Scottish Agriculture sets out our aspirations to be world leading in green farming. A suite of measures is under development which will assist land managers to move towards more climate friendly farming. Practical measures and approaches are being developed for the Third Report on Policies and Proposals (RPP3), to be published in 2016, and there will be an on-going roll out of actions in following years.

Policy 7: We will develop and implement a package of measures to facilitate the step change to climate friendly farming and crofting. This will promote carbon efficient agriculture, environmental benefits and increasingly integrated land use.

Q 11 Do you have any suggestions on other potential measures to encourage climate friendly farming and crofting?

[Highland Council welcomes the focus on the need to encourage climate friendly farming and crofting. The Council supports actions to widen the use of technical advancements to aid the more efficient targeting of nutrients in the arable sector and continuing research and development on aspects of animal nutrition to better manage digestive gases in our livestock. We also recognise certain risks however in an over simplistic 'carbon scoring' approach to all sectors of agriculture. Extensive livestock systems can score poorly using certain measures, for example in terms of](#)

carbon output per kilo of meat produced, and it is crucial to recognise the wider climate and agri-environmental benefits of such systems as a key part of an integrated land use policy.

In addition energy budgets for farms or crofts could be undertaken to see where; energy efficiencies can be made or renewable options are appropriate and natural carbon capture techniques such as long term woodland creation, pond building, restoration of wetlands and peat bogs should be considered if appropriate.

Agri-Environment

The new SRDP has established the principle of targeting to enable measures and support to be focused where they are likely to be most effective. The land use pilot projects have shown there is scope to significantly increase the use of GIS data to assist with a targeted approach. As more detailed and refined mapping of ecosystem services data becomes available, through the development of ecosystem services mapping and tools (Policy 5) this will be used to inform decisions for the current SRDP measures.

Policy 9 – We will continue to develop a targeted approach in the current Scottish Rural Development Programme (SRDP) Agri-Environment Climate Scheme and will utilise more localised map based ecosystems assessments to inform funding decisions as appropriate and as these become available across Scotland.

Q 12a Do you agree that more localised map-based ecosystems assessments could be useful to assist in informing funding decisions? **Yes**

Q 12b Please provide your reasons for our answer.

The Council agrees that more localised map-based assessments could be useful, but recognises that the information must be available to all stakeholders not just agency officials. More pilots should be developed in association with local communities, so that they can see the benefits and provide feedback. It would be particularly helpful to develop pilots in association with crofting communities who have mapped their land for the purposes of the Register of Crofts. This could enable them to draw up crofting community development plans, parts of which may be eligible for SRDP funding. A working group consisting of SGRPID, HIE, CC and HC could facilitate this. Again appropriate resources need to be made available for this work to be carried out.

However, since the current SRDP budget is limited, resources need to be targeted to where they will deliver the most benefit. The ecosystem approach is still 3 to 4 years away from having sufficient data to map with certainty. We do however already know that managing land at catchment level can bring multiple benefits i.e. increase buffer zones, increase woodland cover, create ponds to treat field run-off, sediment load and pollution, before it reaches a water course; create permanent grass field margins and field boundary features; restore wetland habitats. These actions if highlighted as national priorities and if delivered across all farms, would have significant positive effects on biodiversity, reduction in soil loss, reduction in water pollution and slow run-off from fields ameliorating flood events in agricultural catchments

Agri-Environment

Now that the new SRDP and the Agri-Environment Climate Scheme are operational we have an opportunity to consider what the next scheme could deliver for Scotland and whether there is a case to reshape it. The increased emphasis on targeting, the acceptance of ecosystem health as a means to support the targeting work, and the use of a more spatial approach could enable the next SRDP to be more focused so that limited financial resources can be targeted much more precisely.

Proposal 4 – We will explore the further development of a targeted approach to agri-environment in the next SRDP (post 2020) and how this could make increased use of an assessment of ecosystem health and a spatial approach.

Q 13a Do you agree that an assessment of ecosystems health and a spatial approach could be helpful to further inform targeting for the next SRDP? **Yes**

Q 13b Please provide your reasons for your answer.

THC is broadly supportive of this two pronged approach. However a spatial approach should be viewed as one tool only to aid SRDP targeting. SRDP options, advise on the ground, location and needs of important ant habitats and species, catchment scale interventions, potential habitat networks, whole farm plans /maps all should form part of any targeting approach.

THC also notes that there seems to be no comment or information in this consultation about the extensive approach to agri-environment management. Is the assumption that GAEC provides the extensive delivery of basic agri-environmental actions? How do we know if this is securing necessary ecosystem services?

Urban Land Use

In order to explore the applicability and effectiveness of an ecosystems approach in an urban context, and its complementarities with the statutory planning system we propose to explore the feasibility of establishing an urban land use pilot project.

Proposal 5 – We will explore the feasibility of establishing an urban land use pilot project.

Q 14a Do you agree that an urban pilot project could be useful?

No

Q 14b Please provide your reasons for your answer.

Urban land use is managed effectively by the Planning system. It is difficult to see

how an urban land use strategy would differ from a Local Development Plan strategy. If other urban land use issues need addressed, these should be identified in Scottish Planning Policy explicitly, or through LUS2, and then incorporated into emerging Local Development Plans.

The SEA process integrates an ecosystems approach in the preparation of development plans. For example, Highland Council's Development Plan identifies policies that guide priorities for places, incorporating a range of environmental, social, economic and design factors. It is difficult to see what additional benefit a land use strategy could offer, particularly since LUS is embedded in the plan through environmental designations; green networks; flood risk management; safeguarding high nature conservation areas etc. If LUS2 is to be a successful agenda for policy-making, surely it is the role of the Development Plan to deliver its objectives for urban land use, without unnecessary duplication.

Upland Land Use

The uplands have considerable opportunities to contribute to the climate change agenda in Scotland by delivering multiple benefits from land use. However they are also areas of challenge and at times tension. The Land Use Strategy provides an opportunity to consider and agree a new strategic vision for our uplands.

Proposal 6 – We will scope the potential to develop a strategic vision for the uplands, exploring the multiple benefits they deliver and how they can contribute to climate change targets.

Q 15a Do you think that a strategic vision could be useful for the

uplands? [Yes](#)

Q 15b Do you have any comments on this proposal?

Highland Council is of the opinion that a strategic vision could be useful for the uplands, and that this must address multiple land uses including farming, tourism, forestry, game, nature conservation, energy, housing, transport and communications. It must also fundamentally integrate with planning legislation and clearly indicate where land use preferences are likely to take precedent. It is also essential that any strategic plan for the uplands must be regionalised and give specific consideration to more local socio economic factors and address issues of land abandonment. Evidence provided for the Royal Society of Edinburgh's 2007 Inquiry into hill and island areas would provide a useful starting point.

Monitoring Delivery of the Strategy - the Land Use Strategy Indicators

The ten Land Use Strategy indicators were chosen to monitor the delivery of the first Strategy's three Objectives. Although they do not provide a comprehensive measure of every aspect of land use, they represent key aspects of the Strategy and provide a balanced picture of important representative elements. We consider that these

indicators remain fit for purpose and intend to add to or amend the indicators if appropriate indicators become available over time or if existing data collection ceases.

Q 16a Do you agree that the Land Use Strategy indicators are still fit for purpose?
Unsure

Q 16b Do you have any comments on the future monitoring of the revised Land Use Strategy?

THC is of the opinion that further work is needed on the indicators, their ability to report positive/negative change on the ground and progress towards overarching objectives.

General Questions

Q 17 Are there any other activities that you think we should be undertaking to achieve better understanding and application of the Principles or delivery of the Strategy?

In the Highland Council area it would appear that the land use strategy is currently operating at a level that has little bearing on land use decisions or activities on the ground. If SG want to engage more practitioners in its development and delivery it needs to engage with communities, perhaps by engaging with communities as suggested policy 6. Whilst this is time consuming, it appears to have been productive in the pilot areas of Aberdeenshire and the Borders.

Q 18 Are there any other points you wish to make about any aspect of this draft Strategy?

The historic environment, including historic land use, is an integral part of Scotland's landscapes and will have an impact – both directly and indirectly – on how land is used today and in the future. Yet, the draft LUS makes little reference to the historic environment and fails to integrate the historic environment into the strategy and its proposed policies.

Land use is as important to the future of the historic environment and our ability to maximise it as a resource, as it is to the natural environment. The historic environment could be easily and naturally referenced in key sections throughout.

In line with the principles and objectives set out in the LUS, the historic environment offers significant potential – much as yet unrealised – for education, tourism, engaging communities, economic regeneration, conservation, sustainability and biodiversity and can be a vital component when building stronger connections between people and land. Whilst Our Place In Time sets out a strategic vision for Scotland's historic environment, the LUS offers an opportunity to bring the historic and natural environments together; they are complimentary, often integrated and share many of the same issues and concerns with regard to land use whether in the past, present or future.

Access and recreation as a major land use is poorly addressed in the consultation. This should be fully incorporated into a revised strategy. The Council take the view that a more inclusive and joined up approach to the LUS would strengthen the outcomes and better maximise the potential of Scotland's resources; the LUS should not be limited to the consideration "natural" resources alone.

Equalities

To help inform our Equality Impact Assessment of the revised Land Use Strategy it would be helpful if you could answer the following question:

Q 19 Do you have any comments on the policies and proposals in this draft Strategy in terms of how they may impact on any equalities group, i.e. with regard to age, gender, race, religion, disability or sexuality?

No further comments

Questions on the Environmental Report

Q 20a: Do you consider that the Environmental Report set out an accurate description of the current environmental issues/baseline? **Yes**

Q 20b: Please give reasons for your answer.

Q 21a: Do you consider that the predicted environmental effects as set out in the Environmental Report are accurate? **Yes**

Q 21b: Please provide reasons for your answer including further information you feel should be considered in the assessment.

Q 22a: Do you consider that the recommendations and opportunities for mitigation and enhancement are accurate? **Yes**

Q 22b: Please provide reasons for your answer.

Q 23: Are you aware of alternatives to the proposed policies that should be considered as part of the Strategic Environmental Assessment (SEA) process conducted for the draft Strategy? **NO**

Annex A Statutory requirement under the Climate Change (Scotland) Act 2009

Section 57 – Duty to produce a land use strategy

1. The Scottish Ministers must, no later than 31 March 2011, lay a land use strategy before the Scottish Parliament.
2. The strategy must, in particular, set out—
 - (a) the Scottish Ministers' objectives in relation to sustainable land use;
 - (b) their proposals and policies for meeting those objectives; and
 - (c) the timescales over which those proposals and policies are expected to take effect.
3. The objectives, proposals and policies referred to in subsection (2) must contribute to—
 - (a) achievement of the Scottish Ministers' duties under section 1, 2(1) or 3(1) (b);
 - (b) achievement of the Scottish Ministers' objectives in relation to adaptation to climate change, including those set out in any programme produced by virtue of section 53(2); and
 - (c) sustainable development.
4. Before laying the strategy before the Scottish Parliament, the Scottish Ministers must publish a draft strategy and consult with such bodies as they consider appropriate and also with the general public.
5. The strategy must be accompanied by a report setting out—
 - (a) the consultation process undertaken in order to comply with subsection (4); and
 - (b) the ways in which views expressed during that process have been taken account of in finalising the strategy (or stating that no account has been taken of such views).
6. The Scottish Ministers must, no later than—
 - (a) 5 years after laying a strategy before the Scottish Parliament under subsection (1); and
 - (b) the end of every subsequent period of 5 years,lay a revised strategy before the Scottish Parliament; and subsections (2) to (5) apply to a revised strategy as they apply to a strategy laid under subsection (1).



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