

## The need to elect land reforming politicians

### Description

This post examines the need to elect politicians to the next Scottish Parliament who are committed to land reform legislation. It notes the loss of experienced land reformers and the need to replace them with others who have equal enthusiasm for land reform. It provides examples of recent difficulties including serious misunderstandings within VisitScotland of our right to roam legislation.

The re-convening of the Scottish Parliament in 1999 led to substantial changes in the way that our land and water is protected and used by private and public interests. This year several of the key politicians who led the Parliament's efforts to bring in the necessary legislative changes, including national parks, community right to buy and right to roam, are departing the political scene. They include Iain Gray (Labour), Mike Rumbles (Lib Dem), Stewart Stevenson and Roseanna Cunningham (both SNP). These are amongst a wide range of key people that I worked with as the former Director of Ramblers Scotland to deliver these legislative improvements. There is now a real concern that the huge progress achieved by such politicians is steadily eroding as land reform appears to be sliding down the political agenda. Land reform expertise and desire to make change is thin on the ground amongst those seeking election to the next Parliament.

Today's difficulties are exemplified by deliberate attempts by Scottish Land and Estates (SLE) to undermine Scotland's world renowned right to roam legislation. On 23 April the Chief Executive of this landowner representative body, Sarah-Jane Laing, issued a press release saying *"everyone can take practical steps by staying on the path"* when out in the countryside ([see here](#)). Such efforts to promote estate wide blanket restrictions on access are in defiance of all the hard work done by her predecessors, politicians and the public when right to roam passed into law through the Land Reform (Scotland) Act 2003.

It is not surprising that SLE is refusing to comply with the requirements of the 2003 Act when the present Scottish Government and Parliament and its agencies have been notable more for their land reform failures rather than successes. These include:

- Lack of understanding of Scottish access legislation shown by VisitScotland who have been developing publicity materials on access and enjoyment of the countryside as part of the release of lockdown. These initially asked people to "stick to the marked roads, tracks and paths". Fortunately this exhortation is now being removed, following pressure from outdoor recreation interests.
- Failure to bring the construction of hill tracks under proper planning control.
- Failure to develop effective forestry policies and incentives so that the wrong trees are going to be planted in the wrong places and all too often public access is forgotten, or given low priority, in forest plans
- Failure to use existing deer control regulations to bring about ecological recovery in the uplands as a whole and especially on the Royal Family's estate at Balmoral and its neighbours.

- Failure of the Loch Lomond and Trossachs National Park to develop the promised camping infrastructure and their repeated attempts to criminalise campers.
- Failure of the Cairngorms National Park to take action against landowners who erect notices which try to limit access just to paths and tracks across the whole of their estates.

Many of these problems can be laid at the door of the current Cabinet Secretary for Rural Economy and Tourism, Fergus Ewing MSP who seems to have been acting in the Scottish Government as a cheerleader for landowners when dealing with land and tourism issues. Responsibility for the hill tracks planning fiasco lies with the disgraced MSP, Derek Mackay, from his days as Planning Minister.

On the positive side, however, it is important to acknowledge the achievement of Roseanna Cunningham in securing a further advance in right to buy legislation. The coming into force in 2020 of part 5 of the Land Reform (Scotland) Act 2016 means that local community groups can now secure land, by compulsory means if necessary, for sustainable development purposes. This is likely to transform the relationship between local communities and their landowners in the future as a better balance is achieved between private and public interests in the use of our land and water.

For everyone voting in this year's election, however, the need to recover momentum in the land reform process should be a top priority. The need to elect politicians who understand what action is required over the next five years is of paramount importance. Climate change mitigation and ecological recovery cannot wait while landowners and their lawyers continue to frustrate the public interest as they cling on to land use practices that were first developed when Queen Victoria was on the throne.

Only in the Highlands and Islands is there an obvious choice. There Andy Wightman, Scotland's most experienced land reformer, is standing for the list. This politician, now based in Lochaber, has been campaigning for the public interest on land issues since his student days when the forestry tax scams in northern Scotland were exposed to public scrutiny and reform. There is nobody better placed to represent the Highlands and Islands or see that land reform is progressed in the next Parliament. He and we deserve as many second votes in favour of Andy as he attempts to secure his seat as one of the few independent candidates seeking election:

*“If I were in the Highlands I would give my list vote to Andy Wightman. Holyrood needs independent voices with known integrity and track record”* • (Ruth Wishart ([see here](#))).

Elsewhere, we need as many votes as possible cast for candidates who are prepared to commit to land reform, whatever party they are standing for.

[Further information on these land reform issues are covered in the 10 minute film that I recently helped to make with Dave MacLeod for the Fort William Mountain Festival([see here](#))].

## Category

1. Access rights
2. Cairngorms
3. Loch Lomond and Trossachs

## Tags

1. access rights

2. CNPA
3. Deer
4. forestry
5. hill tracks
6. land reform
7. LLTNPA

**Date Created**

April 30, 2021

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