

## Impact case study (REF3)

<b>Institution:</b> University of the Highlands and Islands		
<b>Unit of Assessment:</b> 25 – Area Studies		
<b>Title of case study:</b> Improving community engagement in the Scottish uplands by influencing policy		
<b>Period when the underpinning research was undertaken:</b> 2007 - 2014		
<b>Details of staff conducting the underpinning research from the submitting unit:</b>		
<b>Names:</b>	<b>Roles:</b>	<b>Periods employed by submitting HEI:</b>
Jayne Glass Robert McMorran Martin Price	Research Fellow Researcher Professor, Director of the Centre for Mountain Studies	2011 - 2019 2007 - 2013 2000 - present
<b>Period when the claimed impact occurred:</b> 2013 - present		
<b>Is this case study continued from a case study submitted in 2014?</b> No		
<p><b>1. Summary of the impact</b></p> <p>Nearly two-thirds of Scotland's rural land, particularly in upland areas, is privately-owned: the highest proportion of any country in Europe. The decisions of the owners of private estates in Scotland have significant effects on the rural communities living on and near them. When the engagement or consultation of landowners with such 'estate communities' is limited, these communities often find that they lack control over their own long-term sustainability, as this tends to rely on the landowner's priorities. UHI research has responded to this challenge by identifying key benefits of engagement for both community resilience and the sustainable development of upland estates in Scotland. As a result, policies that regulate land management now emphasise mutual engagement between landowners and communities, and government guidance that draws on the research is given to landowners on how to meet these requirements. The research has also informed the policies and practice of Scottish Land and Estates and the Scottish Land Commission, enhancing engagement and generating positive impacts for both communities and landowners.</p>		
<p><b>2. Underpinning research</b></p> <p>Since devolution, a key area of policy for the Scottish Government has been land reform, which may be characterised as an ongoing process intended to modernise Scotland's system of land ownership. In 1998, the Land Reform Policy Group stated that the core objective of this process was 'to remove the land-based barriers to the sustainable development of rural communities'. The Land Reform (Scotland) Act 2003 provided an early landmark in this direction. Among other key reforms, the Act gave new rights to communities in rural areas by enabling them to collectively purchase land from private landowners.</p> <p>This research began in 2007 during a pause in the land reform process following the 2003 Act. While the Act had concentrated on facilitating a new model of ownership (namely, the purchase of estates by communities – see 3.1), there had been little academic or policy scrutiny of how different types of <i>existing</i> landowners managed their estates in the interests of sustainable development and community resilience (i.e. the ability of communities to respond to changes and sustain themselves in the long-term).</p> <p>The research project '<i>Sustainable Estates for the 21st Century</i>' (2007-2012) sought to address this gap through in-depth case studies that provided empirical examples across different ownership types from across Scotland's uplands [3.3]. The research included: extensive participant observation by researchers on estates; over 200 hours of recorded interviews and discussions with estate representatives, community members, and other stakeholders [3.1, 3.2]; and, a postal survey, completed by private estate owners who collectively own 688,000 ha (1.7 million acres) of Scotland's uplands. From the outset, the project placed a strong emphasis on stakeholder engagement. This included the involvement of an advisory board of representatives from both estate communities and the land-owning and land management sectors before and throughout the project, and presentations to the Scottish Government and stakeholder groups as it progressed.</p>		

Consequently, the research was already widely known before it was completed. This significantly facilitated the impacts detailed in section 4.

Broadly, this research provided an understanding of the most important ways in which owners and managers of large, rural estates influence those who live and work on and around their estates. In particular, it provided evidence that:

1. Landowners' decisions have impacts on the 'resilience' of communities (i.e. their control over their own long-term sustainability and adaptability to change) [3.2, 3.3].
2. Landowners also have roles to play in facilitating business and lifestyle opportunities by sustaining rural employment and supporting community entrepreneurship [3.3].
3. Good dialogue and partnership working have mutual benefits for both landowners and estate communities. Benefits to communities include increased access to external funding sources that may aid socio-economic development, and re-engagement in traditional land-based employment such as forestry and agriculture. Benefits to landowners may include a reduction in potentials for conflict, access to skills and knowledge, and the development of resilient and innovative businesses on their estates. This further benefits the communities themselves [3.3].
4. The development of *long-term* relationships between community and estate representatives – one where engagement is ongoing, open and flexible, rather than a one-off exercise – is most effective in facilitating dialogue and partnership working [3.3].

In addition to the academic publications in section 3, two key outputs from this research are cited in section 4. Firstly, the booklet *Working Together for Sustainable Estate Communities* (Glass et al. 2012) [5.1], which communicates the key insights from the underpinning research to a range of stakeholders including policy makers, landowners, and managers, and community members. Secondly, a 'sustainability assessment toolkit' for upland estate management (also encompassed in 3.2 and 3.3). This includes a framework laying out a number of 'sustainability principles' for estates and communities.

### 3. References to the research

3.1. **McMorran, R.**, Scott, A.J., and **Price, M.F.** (2014). Reconstructing sustainability: participant experiences of community land tenure in North West Scotland. *Journal of Rural Studies* 33: 20-31. DOI: <https://doi.org/10.1016/j.jrurstud.2013.10.006>

3.2. **Glass, J.H.**, Scott, A.J., and **Price, M.F.** (2013). The power of the process: co-producing a sustainability assessment toolkit for upland estate management in Scotland. *Land Use Policy* 30(1): 254-265. DOI: <https://doi.org/10.1016/j.landusepol.2012.03.024>

3.3. **Glass, J.H.**, **Price, M.F.**, Warren, C., and Scott, A.J. (eds). (2013). *Lairds, Land and Sustainability: Scottish perspectives on upland management*. Edinburgh University Press. This book is based entirely on the insights from this research, for which Price was director and is cited in a number of the corroborating sources listed in section 5. Seven of the nine chapters are authored or co-authored by UHI staff. Prof. Chris Smout, Historiographer Royal in Scotland, St Andrews University noted: '*It is a book for everyone seriously concerned about the future of the Highlands.*'

**Funding:** PI Martin Price, Sustainable Estates for the 21st Century, Sir Henry Angest Foundation, £285,000, 2007-12.

PI Martin Price, Sustainable Estates for the 21st Century: Furthering Landowner-Community Engagement, ESRC, £9,619, July 2011- July 2012, RES-192-22-0122

### 4. Details of the impact

This research has achieved significant impacts: on legislation relating to community engagement on privately-owned estates; and in shifting the policies and positions of both public and private organisations. Together, these impacts have helped to create a policy

landscape in which an emphasis on community engagement is strongly embedded, helping to achieve mutual benefits to landowners and rural communities highlighted by the research.

A key pathway to impact was a knowledge exchange project based around participatory workshops with stakeholders, entitled '*Furthering Landowner-Community Engagement*'. This was principally funded by ESRC, and match-funded by the Scottish Government and Scottish Land and Estates (SLE), a nationwide organisation representing landowners. The principal output of this project was the '*Working Together*' booklet [5.1]. There has been a high demand for this booklet: a first print run of 350 was quickly distributed to stakeholders. A further 350 were printed subsequently, as well as 100 for the Scotland's Land Use Strategy event in June 2012. The booklet was further disseminated at presentations to the Scottish Government's Land Use Strategy team, the Scottish Parliament's Rural Cross-Party Working Group, and numerous stakeholder groups. It remains available for download on the "Rural Communities" section of the SLE website [5.2], although statistics on downloads are not available. The sections below give specific details of the subsequent impacts achieved.

### **Improving Section 4 of the Land Reform (Scotland) Act 2016**

The Land Reform (Scotland) Act 2016 was a milestone in the process of land reform, placing a major focus on community engagement by private landowners. It further helped to establish the Scottish Land Commission (SLC: see below), as well as extending community rights to buy, which built on those granted in the Land Reform (Scotland) Act 2003. The '*Working Together*' booklet had a clear influence on the content of Part 4 of the Act – 'Engaging communities in decisions relating to land' [5.3] – as highlighted by SLE's Policy Advisor on Rural Communities [5.4]. The draft legislation preceding the 2016 Act included a proposed statutory requirement for landowners to carry out community engagement. For SLE, this carried the danger of encouraging one-off engagements to satisfy an obligation, rather than a sustained and meaningful process. In highlighting the *mutual* benefits of sustained engagement to both landowners and communities, the booklet proved useful in helping SLE to form a response to this proposed requirement. "With reference to the booklet", their Policy Advisor states, "SLE were able to ensure that this proposal was changed to a requirement for Scottish Ministers to produce guidance on community engagement which would help facilitate best practice without being too prescriptive" [5.4]. Thus, SLE's advice to civil servants, based on UHI research, contributed to the wording of Part 4 of the Act, which states [5.3]: 'The Scottish Ministers must issue guidance about engaging communities in decisions relating to land which may affect communities'.

### **Influencing the Scottish Government's '*Guidance on Engaging Communities in Decisions Relating to Land*' (2018)**

Following the requirement in the 2016 Act and the subsequent Scottish Land Rights and Responsibilities Statement (LRRS, 2017), the Scottish Government produced its Guidance in 2018 [5.5]. Again, the research outputs influenced its development, as the Guidance has considerable overlaps with the key insights outlined in section 2. The Guidance, for example, highlights the benefits of engagement to both landowners and communities, in stating that: 'There are increased opportunities for local economic, social, cultural and environmental improvements, supporting sustainable development and creating opportunities for landowners and communities to develop mutually beneficial solutions to local issues' [5.5, paragraph 28, p.7]. It also points out the benefits of on-going rather than one-off engagement: among its 'best practice principles' for engagement is that 'Where appropriate, on-going engagement and communication can foster positive working relationships and communication channels between communities and land owners and managers' [5.5 paragraph 54, p.11]. This latter paragraph in particular is cited by the manager of the Land Reform policy team within the Scottish Government's Sustainable Land Use and Rural Policy Directorate as being influential in "encourag(ing) us to promote ongoing engagement" when developing the Guidance [5.6].

The same policymaker states that the accessible nature of the booklet enabled the team developing the Guidance to see "different perspectives that are not always obvious when

working in an office in Edinburgh”, and that quotes from community members helped the team to “understand the language and vocabulary that are being used when people talk about estate community issues” [5.6]. This influence is corroborated by SLE’s Policy Adviser, who states that the booklet enabled SLE to put across “different perspectives that need to be taken into account”, where previously, ‘landowners’ and ‘rural communities’ had been “too easily generalised” [5.4]. The booklet also continues to feature prominently on the Rural Communities section of SLE’s website [5.2].

### **Supporting Scottish Land Commission (SLC) position and Good Practice Programme**

The 2016 Act led to the establishment of the SLC, a Government-funded yet independent body concerned with effective land use, ownership and management. Since that time, this research – and specifically the ‘toolkit’ [3.1] – has had a significant influence on SLC’s work, as corroborated by their Chief Executive. He notes that their Good Practice Programme “builds on many of the themes that the Sustainable Estates Project considered” [5.7]. This programme focuses on the implementation of the LRRS (2017) and the Scottish Government’s Guidance (2018) through a series of Protocols, of which the first addresses ‘Community Engagement in Decisions Relating to Land’ (2019); this is complemented by a Route Map and a Practice Guide on ‘Developing an Engagement Plan for Decisions Relating to Land’ [5.8], which references the ‘*Working Together*’ booklet [5.1]. Many points made in the booklet are also included in the Protocol and Route Map, though not cited directly.

### **Informing Scottish Land and Estates policy**

SLE, as indicated above, has drawn considerably on these UHI research outputs to inform its position on community engagement. The “Rural Communities’ section of their website [5.2] states that “SLE created a community engagement programme based on the ‘*Working Together...*’ booklet” [5.1], and their Policy Adviser cites this as being “influential in SLE’s work at all levels relating to community engagement” [5.4]. A specific example of this influence is SLE’s Landowners’ Commitment (2014) [5.9]. This sets out good practice for their members, including pledges to ‘communicate estate plans to those who will be affected by them’, ‘provide the wider estate community with an opportunity to contribute to relevant decision making’, and ‘work with tenants and the wider community to encourage and support enterprise and business development’.

### **Impact on landowners and communities**

The research impacts described here relate to legislation and also to organisational policies, positions, and guidance. These, in turn, have led to tangible outcomes in improved engagement between landowners and estate communities. These include outcomes cited by participants in the Sustainable Estates research, particularly landowners. In email correspondence, one such landowner from the Ardtornish Estate points to the combined influence of the research outputs, SLE’s Landowners’ Commitment and the work of the SLC, in helping his estate “to think more about community engagement, and to codify the questions about how, why and whom” [5.10].

Elsewhere, an example of the influence of the recent SLC guidance concerns Buccleuch Estates – one of Scotland’s largest landowners – which drew upon the SLC Protocol when carrying out a community consultation relating to their proposed sale of Langholm Moor in the Scottish Borders [5.11]. A good practice example on SLC’s website [5.12] explains that this consultation led to recognition that there was an appetite for community acquisition of the land. Buccleuch Estates therefore halted the sale of the land on the open market and a community initiative to raise funds to purchase part of this land was launched. This initiative was successful [5.13].

SLE, meanwhile, is now using its own Landowners’ Commitment [5.9] and the Scottish Government Guidance [5.5] in working with landowners to develop community engagement strategies, and have used the ‘*Working Together*’ booklet ‘during the process of these strategies being developed’ [5.4]. This support for landowners is further evidenced in articles



in SLE's *'Land Business'* magazine, announcing support events for landowners on community engagement [5.14]. Other articles provide examples of how estates are demonstrating the principles of the Landowners' Commitment, including those that relate specifically to community engagement, e.g., the introduction of a fund for community-based projects by the East Neuk Estates Group, and financial support given by Douglas and Angus Estates to a local young person to set up a café, shop and community hub [5.14].

The Chief Executive of the SLC states "I am in no doubt that the project and its outputs has influenced practice and culture within the land ownership and management community. There has been a steady shift in recent years to improved community engagement and collaborative approaches, and this has increasingly become seen as integral to good land management" [5.7]. Taken collectively, the examples presented above demonstrate the development of a policy landscape that has been shaped by this research, and in which there is a strongly-embedded emphasis on mutual engagement between landowners and communities. This policy landscape, in turn, is helping to bring about a culture shift in which landowners engage in a more sustained and open manner with communities on their estates. Communities, in turn, are given greater input into decisions that affect them. As a result, these communities have more control over their own long-term sustainability.

### 5. Sources to corroborate the impact

5.1 Glass, J.H., McKee, A., McMorran, R., and Price, M.F. (2012). Working Together for Sustainable Estate Communities: <https://www.perth.uhi.ac.uk/t4-media/one-web/perth/news/images/Working-Together-for-Sustainable-Estate-Communities.pdf>

5.2 "Rural Communities" section of the Scottish Land and Estates website: <https://www.scottishlandandestates.co.uk/our-work/rural-communities>

5.3 Section 4 of the Land Reform (Scotland) Act 2016: <http://www.legislation.gov.uk/asp/2016/18/part/4/enacted>

5.4 Testimonial letter from Policy Advisor on Rural Communities, Scottish Land and Estates.

5.5 Scottish Government Guidance on Engaging Communities in Decisions Relating to Land (2018) - "Working Together" booklet (5.1) referenced p.21:

<https://www.gov.scot/publications/guidance-engaging-communities-decisions-relating-land/>

5.6 Testimonial letter from Land Reform Policy Manager, Sustainable Land Use and Rural Policy Directorate, The Scottish Government.

5.7 Testimonial letter from Chief Executive, Scottish Land Commission.

5.8 Scottish Land Commission's Practice Guide on "Developing an Engagement Plan for Decisions Relating to Land" (2019):

[https://landcommission.gov.scot/downloads/5ddfed161d1de\\_Practice%20Guide%20-%20Community%20Engagement%20Planning.%20Nov%202019%20Web.pdf](https://landcommission.gov.scot/downloads/5ddfed161d1de_Practice%20Guide%20-%20Community%20Engagement%20Planning.%20Nov%202019%20Web.pdf)

5.9 Scottish Land and Estates Landowners' Commitment:

<https://scottishlandandestates.co.uk/about-us/landowners-commitment>

5.10 Testimonial email from owner of Ardtornish Estate.

5.11 Notice on Buccleuch Estates website regarding community consultation ahead of proposed sale of Langholm Moor (2019): <https://www.buccleuch.com/newsposts/land-marketed-sale-buccleuchs-borders-estate-2/>

5.12 Scottish Land Commission example of "good practice" in community engagement, drawing upon the above consultation by Buccleuch Estates:

<https://landcommission.gov.scot/our-work/good-practice/community-engagement/buccleuch-langholm-moor-sale-creating-opportunities-through-community-engagement>

5.13 Langholm Moor Community Buyout: <https://www.langholminitiative.org.uk/langholm-moor>

5.14 Articles in Scottish Land and Estates *'Land Business'* magazine (Issue 52, Autumn 2014; Issue 60, Autumn 2016; Issue 62, Spring 2017): Evidence of support events for landowners, and examples of how estates are demonstrating the principles of SLE's Landowner's Commitment.