

## House of Lords Enquiry into Land Use in England

### Response from James Hutton Institute to a question regarding the efficacy and lessons learnt from the RLUP in Aberdeen

The following response reflects aspects from across the pilot Regional Land Use Partnerships (RLUPs). Different types of information are in the public domain for each RLUP.

The response below is submitted as confidential and not confirmed by the Partnerships.

These comments are independent of a review of Phase 1 of the work of the RLUPs, commissioned by the Scottish Government (not undertaken by James Hutton Institute), the publication of which is pending.

#### 1. General regarding the Regional Land Use Partnerships

[The Programme for Government \(2021/22\)](#) and [Scotland's 3<sup>rd</sup> Land Use Strategy](#) committed the Scottish Government to creating Regional Land Use Partnerships (RLUPs) as part of its strategy for tackling climate change.

The RLUPs are “partnerships facilitating natural capital led collaboration on regional land use changes to help Scotland’s just transition to net-zero, involving local and national government, communities, land owners, land managers, and wider stakeholders.” One aim of their aims, by 2023, is to inform development of Regional Land Use Frameworks (RLUFs) by using a natural capital approach “to identify and agree upon current and potential land use changes across the region that support the delivery of Scottish Government’s climate change targets, and other environmental objectives, such as improving biodiversity.”

Five [pilot RLUPs](#) were announced in February 2021, the aim of which is to test the practicalities of different ways to establish RLUPs, and options for the governance and partnership working on a regional scale. The pilot RLUPs are:

- [Cairngorms National Park](#) (National Park area)
- The Highland Region (subsequently with a focus on North-west Sutherland)
- [Loch Lomond and The Trossachs National Park](#) (National Park area)
- North East Region (Aberdeenshire and Aberdeen City Council areas)
- South of Scotland (Dumfries and Galloway and Scottish Borders Council areas)

The Scottish Government is providing each of the pilots a grant of £50k to support them in 2021/22.

The RLUP pilots are in three phases:

- i) Phase 1, 2021/22 – Establishment of the RLUP
- ii) Phase 2, by 2023 – Development of the RLUF
- iii) Phase 3, post-2023 – Landscape level land use changes begin

An evaluation of Phase 1 of the Regional Land Use Partnerships Pilots was commissioned by the Scottish Government in autumn 2021, the reporting of which is due to be published in August 2022.

A prospective rollout of further RLUPs is planned for 2023, although there is also an option of drawing to a close any of the pilot RLUPs.

#### 2. Who is involved in the partnership and does it build on previous partnerships structures

The five pilot partnerships have been developed on different underlying arrangements:

- i) National Park Authorities - Two of the pilots are built into the partnership working of the two Scottish National Parks ([Cairngorms National Park](#) and the [Loch Lomond and The Trossachs National Park](#)) and the stakeholders in their Partnership Plans. Each National

Park Authority has the legal status required to administer the funding received from the Scottish Government for the RLUP.

The draft [Cairngorms National Park Partnership Plan \(2022-27\)](#) notes its approach to the pilot RLUP in which it proposes to use existing structures to provide a ‘democratic and community-led focus to governance’ (e.g. the Cairngorms National Park Authority Board), with technical support and other guidance as appropriate (see also response to Q3).

- ii) The South of Scotland Partnership builds on close links between the two participating local authorities (a consortium of [South of Scotland Enterprise \[SOSE\]](#), [Dumfries and Galloway](#), and [Scottish Borders Council](#)), and the relationships developed between these organisation within the [Borderlands Inclusive Growth Deal](#). Scottish Borders Council is the administrative lead organisation for the pilot RLUP.
- iii) The pilot in Highland Council area focuses on a focuses on the [North West 2045 Group](#) in north west Sutherland, in a strategic initiative led by the [Council’s Infrastructure and Environment Service](#). The [North West 2045 Group](#) was formed in autumn 2020 as an informal partnership of voluntary groups. The selection of the [North West 2045 Group](#) as a candidate for the RLUP reflects its aims of delivering environmental, social and economic benefits, and its membership comprising the local authority, public agencies, landowners and communities, the objectives of which relate to how land use can deliver environmental, social and economic benefits. Highland Council is the partner organisation with the legal status required to administer the funding received from the Scottish Government for the pilot RLUP.
- iv) The North-east Region pilot covers the area of Aberdeenshire Council and Aberdeen City Council. In Phase 1, key existing stakeholder groups were identified as: NESAAG (North East Scotland Agricultural Advisory Group); North East Scotland Area Advisory Group (established by SEPA with the aim of assisting delivery of river basin management planning); North East Scotland Biodiversity Partnership (NESBiP), established with members drawn from local government, environmental organisations, wildlife charities and hosted by the James Hutton Institute; Community Planning Partnerships, which are responsible for delivering positive changes for the communities of Aberdeenshire and Aberdeen; Climate Ready Aberdeenshire / Aberdeen Adapts - governed by steering groups consisting of senior representatives from organisations throughout the North East of Scotland and local groups (from Aberdeenshire Council, Report to the Infrastructure Services Committee – 20 January 2022). Aberdeenshire Council is the administrative lead organisation for the pilot RLUP.

### **3. How it fits into the governance layers that exist for policy and decision making**

A key purpose of the pilot RLUPs is to test options for governance, the specific details of which could vary across Scotland. As noted above, the pilot RLUPs are built on different institutional arrangements with either local councils or National Park Authorities as the lead organisation, with associated responsibility for administering the grant of £50k allocated by the Scottish Government to each RLUP for 2021/22, within auditable processes of a suitable legal entity.

For the Cairngorms pilot RLUP, the draft [National Park Authority Partnership Plan](#) for 2022-27 notes that the RLUP “as a decision-making partnership for governance” will “utilise the existing Cairngorms National Park Authority board, with technical assistance from the Cairngorms Upland Advisory Group (CUAG) and other Cairngorms forums as required.” It plans to prepare specific Terms of Reference for the “CUAG involvement in the RLUP pilot to avoid any potential conflicts of interest.” It also notes that the Plan “is the Strategic Regional Land Use Framework and Regional Spatial Strategy for the National Park”.

For the North-east Region a new structure is being developed for the RLUP Pilot Board. As of early 2022, the process being taken forward was to: i) progress non-political appointments to the RLUP Pilot Board; ii) agree that political appointments to the RLUP Pilot Board shall be on a politically proportionate basis; iii) develop the governance arrangement and Terms of Reference of the Board (from Aberdeenshire Council, Report to the Infrastructure Services Committee – 20 January 2022).

The South of Scotland pilot RLUP aims to have a “tripartite model of government/land use sector/community representation, locally representative and democratic.” Information on appointments is not yet available.

The Highland Region pilot RLUP is under the auspices of Highland Council, with the [North West 2045 Group](#) providing a forum for stakeholder and community engagement, and mechanisms for developing visions in which natural capital approaches form a part.

#### **4. Who drives and leads it.**

A team has been set-up within the Scottish Government with responsibility for guiding the RLUPs and oversight of the process of their development. This team works closely with other policy groups, notably that on natural capital, reflecting the requirements of the RLUPs to adopt using a natural capital/ecosystem approach to land use and land use changes that contribute to achieving the climate change targets of the Scottish Government.

The pilot RLUPs have taken different approaches to identifying points of contact or project managers. Most of the pilots appear to be allocating the formal responsibilities for project management to an existing member of staff. The South of Scotland RLUP has created a new post of project manager, and recruited a post-holder, employed by South of Scotland Enterprise, one of the consortium running the pilot. It is likely that the different structures of governance across the pilots will lead to different levels of time resource required from these points of contact.

The pilots have also taken different approaches to identifying the stakeholders of relevance, and governance of their RLUPs (Phase 1), and the associated Regional Land Use Framework.

The South of Scotland pilot RLUP commissioned a consultancy company to conduct a public consultation on challenges and opportunities for land use within the area of the pilot. The [online consultation](#) concluded in March 2022, the publication of results of which is pending.

The two National Park Authorities are the lead organisations of the RLUPs within their areas. They have well-established mechanisms for engagement with stakeholders in public, private and third sectors, and means of outreach to residents and visitors to inform the development of their Strategic Plans. The inclusion of the two National Parks as pilot RLUPs enables the testing of whether their levels of governance and structures provide effective and efficient approaches to achieving the aims set for the RLUPs. The Scottish Government is committed to the establishment of a third National Park, but beyond that the model of the National Parks for delivery of RLUPs may be limited.

The Highland Region pilot RLUP, through the [North West 2045 Group](#), has developed a vision (‘Our Future Our Choice’) through a public consultation. That consultation involved schools, young people (16 to 35 years old), workshops with development trusts and community councils, and surveys of individuals. This pilot is likely to be the one most closely linked to community-led activities. It remains unclear how their activities will inform development of an RLUP.

As noted in response to Q3, for the North-east Region pilot RLUP, the project team from Aberdeenshire and Aberdeen City councils have identified a set of existing organisations with which to collaborate on the aims and contents of the RLUP.

## 5. Any lessons learnt; what is working well and what are the key challenges.

It is too early in the development of the pilot RLUPs to assess the effectiveness of their working.

From information in the public domain, it appears that each pilot RLUP has developed its plans and delivered on the requirements of Phase 1. Preliminary feedback suggests some variability between the pilot RLUPs in the traction gained in their localities with different types of stakeholder groups, and the types of challenges they have faced.

As noted above, an evaluation of Phase 1 of the pilot RLUPs is due to be published in August 2022. That is likely to identify aspects of what is working well and key challenges they are facing.

From information available and discussion with individuals in the pilot RLUPs, example challenges faced are:

- i) **Engaging with the stakeholder community and wider public** – Phase 1 of each pilot RLUP requires a stakeholder strategy to be designed and begun. The approaches taken by the pilots to raise public and stakeholder awareness of the RLUPs, varies according to the host institution, its structures and obligations. For example, a formal consultation process on the National Park Partnership Plan is one channel used by the Cairngorms, as part of its obligations under the National Parks (Scotland) Act 2000; presentations and discussions with existing networks are being used by the North-east Region; and, an online consultation designed specifically for the RLUP has been disseminated by South of Scotland including through the networks of its partners.
- ii) **Designing suitable structures of governance for the pilots** – Existing institutional arrangements may not align with the requirements of an RLUP. Designing and gaining approval for a new structure (e.g. RLUP Board), or modifying the Terms of Reference of an existing one, takes time and needs to follow the processes of the lead institution and its partners. This may have implications for the intended timetable of Phases and delivery of outcomes of the RLUP.
- iii) **Forthcoming challenges in natural capital approaches** – Each of the pilot areas has examples of research and implementation of approaches to assessing, evaluating and investing in natural capital. A significant upcoming challenge is likely to be in identifying and adopting approaches that are appropriate to the natural resources, human and social capital of their area. Examples of issues which can be expected to arise are the methodologies to be used, the availability of suitable data, capabilities in the RLUP team for implementing approaches (e.g. models and mapping, operationally on the ground), and land manager and stakeholder acceptance of the approaches and any implications of their use. Comparisons between pilot areas regarding the types of approaches adopted, usability of tools, and timescales to realising landscape level changes in land use can be expected to attract considerable interest in academic, practice and policy communities.

A Scottish Environment, Food and Agriculture Research Institutes ([SEFARI](#)) Think Tank with the Scottish Land Commission (SLC), Scottish Government and public agencies reviewed how spatial data can support RLUPs achieve their aims. Its report ([Roles of Spatial Data by Regional Land Use Partnerships](#)) identified challenges and options for the sources, availability, content, quality and governance of spatial data, and the technological platforms, human skills, and institutional arrangements, which could be required by the RLUPs as they develop the RLUPs.

The Scottish Government's [Interim Principles for Responsible Investment in Natural Capital](#), launched in March 2022, are early efforts to deliver on obligations towards tackling climate change and biodiversity providing community benefits and contributing to a just transition. Given the requirement of the RLUPs to use natural capital approaches,

it is expected that the usefulness of these principles will be tested, and lessons learnt as to how or whether they are deployed by the RLUPs as they develop their RLUFs.

The identification of pilot RLUPs includes two which are adjacent (Cairngorms and North-east Region). This could provide a basis for learning any issues arising relating to matters that span administrative boundaries but are within single units of land ownership or management (e.g. opportunities for peatland restoration in an upland estate). If more RLUPs are rolled-out then issues could arise relating to their boundaries, or changes in areas of responsibility (e.g. a new RLUP that takes responsibility for an area previously within another one).

Example lessons to be learnt relate to:

- i) **Recognition that the initiation and operation of the RLUPs may require alignment with the formal processes of their host institution** - For example, the timing of the launch of the RLUPs enabled its inclusion in the public consultation on the Partnership Plan 2023-7 of the Cairngorms National Park. However, the timing of the equivalent for the Loch Lomond and the Trossachs National Park is different and thus an equivalent consultation has not yet been produced.
- ii) **Resources and authority commensurate with the responsibilities and mechanisms of governance of the RLUP** - Insufficient resources or perceived lack of authority could have adverse impacts on the resultant Regional Land Use Frameworks. The levels and types of subsidiarity are to be welcomed and the diversity of approaches to the 5 pilot RLUPs should provide a valuable basis for comparisons (e.g. approach to consultations, technical and skills available to the RLUP). Findings from the Scottish Government Strategic Research Programme (2016-22) show that involving all stakeholders at relevant levels (e.g. landscapes, catchments) is neither easy nor cheap (e.g. see <https://www.hutton.ac.uk/sites/default/files/files/ecosystemservices/Ecosystem-Approach-Experiences-Research-Summary.pdf>). Projects do not have to be expensive but sufficient time is required to build partnerships, learn from doing, and practice adaptive management. Funding for action, even if on a small-scale, not just planning is essential.

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Contributions from David Miller, Kirsty Blackstock, Keith Matthews, Kerry Waylen