

Regional Land Use Framework

Report by Director of Infrastructure & Environment

SCOTTISH BORDERS COUNCIL

23 NOVEMBER 2023

1 PURPOSE AND SUMMARY

- 1.1 This report seeks approval of the draft Regional Land Use Framework (RLUF) for the South of Scotland set out in Appendix A for public consultation for a 12 week period and agreement for the final version to be submitted to Scottish Ministers by March 2024.
- 1.2 The South of Scotland Regional Land Use Framework is one of 5 pilots being developed as part of Scottish Government's pilot programme. The pilot is a tripartite approach between Scottish Borders Council, Dumfries & Galloway Council and SOSE and is supported and governed through the Regional Economic Partnership.
- 1.3 The pilot aims to test governance structures that deliver collaborative decision making for land use and using a natural capital approach to identify priorities for land use change that support government climate change and biodiversity targets.

2 RECOMMENDATIONS

2.1 Scottish Borders Council is recommended to:

- (a) **Approve the Draft Regional Land Use Framework as set out in Appendix A as the basis for a 12 week consultation, and**
- (b) **Delegate authority to the Director of Infrastructure & Environment to submit the finalised version of the Framework to Scottish Ministers by March 2024, unless there are substantive changes to the document as a result of the consultation, in which case the matter will be referred back to Council for agreement.**

3 BACKGROUND

- 3.1 The proposal for Regional Land Use Partnerships was first set out in Scotland's Land Use Strategy (2016) and the Climate Change Act in 2019 brought renewed ambition to the proposal. Land use and land use change, is recognised as key to delivering Scotland and the UK's climate change targets and RLUP's have the potential to play a pivotal role in delivering on this, making a just transition to a net zero economy.
- 3.2 In the 2019 Programme for Government the Scottish Government committed to establishing Regional Land Use Partnerships (RLUP's) in 2021, with an expectation that the Partnerships would prepare Regional Land Use Frameworks (RLUF's) by 2023. The 2020 Programme for Government recommitted to making use of Partnerships in 2021.
- 3.3 The five pilot areas were announced in February 2021 and were chosen to test approaches to governance and implementation before any wider roll-out across Scotland. The volunteer pilot regions were: South of Scotland, North-West Sutherland, Aberdeenshire and the two national parks.
- 3.4 Following creation of the South of Scotland Partnership, work commenced on the development of the Regional Land Use Framework, which is an informal policy document that aims to draw together the priorities for land use change across the entire region, with its focus being at a regional strategic level. The work of the Partnership in developing the Framework has been supported by consultancy provided by Southern Upland Partnership and Land Use Consultants.

4 REGIONAL LAND USE FRAMEWORK

What is a RLUF?

- 4.1 The RLUF sets out a concise vision and objectives for land use across the region, providing information on existing land uses (and the benefits they provide) and drivers for land use change. It recognises the urgency of joined up action to address the climate and biodiversity crises and identifies some of the priority changes in land use that are going to be needed. For example, significantly more native woodland creation and peatland restoration, renewable energy generation and more efficient and environmentally friendly food production that helps restore nature. It also starts to explore where these priority land use changes might be best delivered, drawing on the best available data.
- 4.2 The RLUF also recognises, as part of a Just Transition, the need for inclusive engagement between those making decisions about land and the wide range of people and interests affected by and benefitting from such decisions. It identifies principles to support decision making and existing funding opportunities to enable land use change. Support from Scottish Government for a Just Transition in land use across the region will be critical, including access to better data to support land use planning and funding for landowners to incentivise and enable investment in the right land use change in the right places. It also includes a list of short and medium term actions to support delivery of the RLUF's vision and objectives, linked to the Regional Economic Strategy.

The South of Scotland Pilot

4.3 The pilot is being co-ordinated by SOSE in partnership with Dumfries & Galloway Council and Scottish Borders Council. Following stakeholder engagement, the governance arrangements were established to align with the Regional Economic Partnership who provide oversight of the process. Final approval lies with the two local authorities, in a process which mirrors that established for the Regional Economic Strategy. The RLUF has been co-designed through extensive stakeholder engagement between November 2021 and March 2023, using a place-based approach to capture feedback from across the region and to reflect the distinctiveness of localities within the region.

Natural Capital Approach

4.4 The methodology was based on a natural capital approach, which considers land as an asset from which flow a range of benefits to society. A 6-step approach was adopted: building the baseline of land use and benefits it provides; understanding the drivers of land use change; exploring with stakeholders the opportunities for land use change to boost multiple nationally and locally needed benefits; investigating tensions and trade-offs between managing land for different benefits; and identifying land use change opportunities.

Development of the Regional Land Use Framework

4.5 The social research findings of the stakeholder engagement were reviewed to understand their fit with national and regional policy. This evidence base was then developed into the RLUF in consultation with the officer working group, RLUP Advisory Group and the REP.

4.6 A Vision for land use and a set of objectives has been developed:

A South of Scotland region where we fully recognise, understand and value the importance of our natural capital. Our plans and decisions about land use – including more native woodland, more peatland restoration and more sustainable and regenerative farming - deliver improved and enduring benefits for all, delivering a Wellbeing Economy through a Just Transition to Net Zero and nature-positive outcomes.

4.7 A number of objectives have been identified and these are to:

- Support and promote more informed, collaborative and integrated decisions about how we use land in the South of Scotland in a sustainable manner, addressing the climate and biodiversity crises whilst supporting a wellbeing economy.
- Identify and understand competing pressures on land and identify opportunities for land use to deliver multiple benefits of value to society.
- Inform the targeting of public and private investment in support of transparent, fair, sustainable investments in land use.
- Encourage land-based businesses to work with nature and communities, helping to contribute more to South of Scotland's prosperity, including jobs, skills development and a just transition.
- Enable urban and rural communities to be better connected to the land, with more people enjoying the land and positively influencing land use.

- 4.8 The RLUF includes a set of recommendations to Scottish Government around governance, improvements in developing future RLUFs, how RLUFs could inform the new Agricultural scheme and Just Transition Plans and the need for better and publicly available data. It lays out over 30 actions that inform the development of the region as a Natural Capital Innovation Zone (as recently endorsed at the Convention of the South of Scotland) and as a delivery plan under the Regional Economic Strategy. From a local authority perspective this includes actions relating to nature networks, strategic approaches to woodland creation, development Frameworks for renewable energy, development of the Regional Spatial Strategy and sub-catchment Place plans that link to local place Plans.
- 4.9 The RLUF is an informal Framework which sits outside the Development Plan but can help link to and inform the LDP, Regional Spatial Strategy and Local Place plans. The RLUF also informs delivery of the Regional Economic Strategy which helps realise Scottish Government's ambitions under the National Strategy for Economic Transformation (NSET).

Next Steps

- 4.10 Following consideration and approval of the RLUF by both Councils, it will be subject to a 12 week public consultation, which will inform the final version of the document. If there are substantive changes to the document required as a result of the consultation exercise, the Framework will be brought back to Council for agreement, otherwise, if there are only minor or non-material changes, it will be submitted to Scottish Ministers by the end of March 2024.

5 IMPLICATIONS

5.1 Financial

There are no costs attached to any of the recommendations contained in this report. The pilot programme has been supported by core funding of £189k from Scottish Government. This has funded consultancy support from Southern Upland Partnership and Land Use Consultants.

All other costs relate to officer time from all three organisations dedicated to supporting the programme.

5.2 Risk and Mitigations

Once approved the South of Scotland Regional Land Use Framework will become a non-statutory regional policy and strategy, articulating a high-level statement of regional approach to land use change using a natural capital approach to land use change that support government climate change and biodiversity targets and the Council's aspirations in its Climate Change Route Map.

Partnership working is critical to the success of the South of Scotland approach. There would be a reputational risk to the Council in not agreeing the Framework, which has been developed through wide collaboration and consultation across the South of Scotland and which has the potential to guide land use activity and investment, contributing to the Region's economic priorities and ambitions as well as its environmental imperatives.

5.3 Integrated Impact Assessment

An integrated impact assessment has been completed. As noted, subject to formal approval, the final RLUF will be non-statutory; its purpose will be to inform and support the development and delivery of a natural capital approach to meeting climate change and biodiversity loss, influence other national, regional and local plans and strategies and help the drive towards a Just Transition to climate change.

5.4 Sustainable Development Goals

The pilot derives from the provisions of Scotland's Land Use Strategy (2016) and the Climate Change Act in 2019 and its outcomes seek to make a positive contribution to addressing the twin crises of climate change and biodiversity through management of land use changes. Its provisions are consistent with and support the delivery of Scotland's national outcomes and UN Sustainable Development Goals 1, 6, 7, 8, 9, 10, 12, 13, 15, 16 and 17.

5.5 Climate Change

As stated in 5.4 above, the pilot derives from the provisions of Scotland's Land Use Strategy (2016) and the Climate Change Act in 2019 and its outcomes will make a positive contribution to addressing the twin crises of climate change and biodiversity through the management of land use change.

The pilot seeks out a series of recommendations for practical action to development of the region as a Natural Capital Innovation Zone (as recently endorsed at the Convention of the South of Scotland) and as a delivery plan under the Regional Economic Strategy.

5.6 Rural Proofing

Whilst the RLUF is an informal policy document it focusses on improving the competitiveness and sustainability of its constituent rural economies and has been developed to take account of the rural community and sectorial interests, highlighting opportunities and challenges.

5.7 Data Protection Impact Statement

There are no personal data implications arising from the proposals contained in this report.

5.8 Changes to Scheme of Administration or Scheme of Delegation

There are no changes proposed to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals in your report.

6 CONSULTATION

6.1 Consultation has been undertaken with the Director (Finance & Procurement), the Director (Corporate Governance), the Chief Officer Audit and Risk, the Director (People Performance & Change), the Clerk to the Council and Corporate Communications and any comments received have been incorporated into the final report.

Approved by

Insert Committee name – date of meeting

Name**Titled****John Curry
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Background Papers: nil**Previous Minute Reference: n/a**

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