

Parliamentary Bureau – Referral of Bill at Stage 1

Land Reform (Scotland) Bill

Introduction

1. The Land Reform (Scotland) Bill was introduced in the Parliament on 13 March 2024 by the Cabinet Secretary for Rural Affairs, Land Reform and Islands, Mairi Gougeon MSP.

Discussion

2. The Bill is in two main parts. Part 1 makes changes to the law in relation to large landholdings. This Part:
 - gives Ministers the power to make changes to the law that would require certain landowners to:
 - have a land management plan
 - consider requests from a community body to lease land
 - gives community bodies the opportunity to be informed about certain sales and more time to register an interest in buying land
 - states that, in certain cases, ownership of a large landholding must be transferred in smaller 'lots', rather than as a whole, if it may make a community more sustainable
 - creates a new Land and Communities Commissioner, within the Scottish Land Commission, who would be responsible for:
 - the enforcement of the new community engagement requirements on landowners
 - providing reports for lotting decision.
3. Part 2 of the Bill deals with different types of leases of land:
 - Chapter 1 introduces a requirement for Ministers to publish a model lease for letting land for environmental purposes
 - Chapter 2 makes changes to the law relating to small landholdings
 - Chapter 3 makes changes to the law relating to agricultural holdings
4. The Bill appears to engage the remits of both the Net Zero, Energy and Transport Committee and the Rural Affairs and Islands Committee.

Net Zero, Energy and Transport Committee: The remit of the Net Zero, Energy and Transport Committee includes consideration of matters relating to land reform, natural resources and peatland, and the Scottish Land Commission, within the responsibility of the Cabinet Secretary for Rural Affairs, Land Reform and Islands. The Bill makes provision for land reform matters and accordingly the Net Zero, Energy and Transport Committee's remit is engaged.

Rural Affairs and Islands Committee: The remit of the Rural Affairs and Islands Committee includes consideration of matters falling within the responsibility of the Cabinet Secretary for Rural Affairs and Islands, excluding certain matters which fall within the remit of the Net Zero,

Energy and Transport Committee. Matters within the remit of the Rural Affairs and Islands Committee include agriculture, forestry and woodlands, and the Rural Delivery Plan. The Bill covers certain agricultural leases as well as issues of particular relevance to rural areas and accordingly the Rural Affairs and Islands Committee's remit is engaged.

Recommendation

5. We understand that the Net Zero, Energy and Transport Committee has the primary interest in the Bill. The Rural Affairs and Islands is not seeking any official designation as a secondary committee. Designation of one committee as lead committee does not preclude any other committee whose remit is engaged from considering the Bill if it wishes to do so.
6. The Bureau is invited to consider recommending to the Parliament by motion that it agrees, under Rule 9.6.1, to designate the Net Zero, Energy and Transport Committee as lead committee for consideration of the Land Reform (Scotland) Bill at Stage 1.
7. A draft motion can be found below.

Draft Parliamentary Bureau motion on the Land Reform (Scotland) Bill:

Designation of Lead Committee – That the Parliament agrees that the Net Zero, Energy and Transport Committee be designated as the lead committee in consideration of the Land Reform (Scotland) Bill at Stage 1.

Parliamentary Business Team
March 2024