

**Consultation Title: Scoping a Strategic Vision for the Uplands**

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## Introduction and General Comments

Scottish Land & Estates is a member organisation that uniquely represents the interests of landowners, land managers and land-based businesses in rural Scotland. Scottish Land & Estates has members with interests in a great variety of land uses, many based in the upland areas of Scotland. These key questions on the scoping of a strategic vision for the uplands are therefore of considerable interest to our members, and we very much welcome the opportunity to respond.

Before responding to the specific questions being asked by Scottish Natural Heritage, we provide some general thoughts below.

Scottish Land & Estates sees value in a process which brings together the many and varied interests in how land is used and management in the uplands. Even more so than in the lowlands, it appears to many land owners and managers that “everyone” has a view on how they should be managing upland areas. In these circumstances it is impossible to meet everyone’s needs and landowners and managers find themselves in a position of almost constant criticism.

We believe that there is a lack of understanding of the things that drive a landowner or manager’s decision-making, and visa versa it would be fair to say that not all landowners and managers understand why others wish to see a different set of outcomes from the uplands to their own. The only way to resolve this, we believe, is for more and better dialogue.

This may take the shape of a strategic vision for the uplands, or it may take another form – a national conversation about the uplands for example. Whatever the eventual output, which we fully appreciate may not be realised very quickly given the variety of interests and the strength of feeling that can accompany some issues, we believe the process is vitally important and should be taken forward.

Whilst appreciating that our thinking may be ahead of the curve, we have also provided a few thoughts on the nature of the vision itself, should the decision be made to pursue it.

A vision suggests some kind of statement about ‘how we’d like things to be’, which implies setting some broad aims for what we want the Uplands to do / provide. That in turn suggests the definition of some benchmarks, perhaps around coverage, sustainability of species and habitats, carbon capture, water management, access, etc. While we would caution against inflexibility and slavishly following ‘targets’, we believe it would nevertheless be useful for the vision to identify some key aims, such as identifying the range of things we wish to see the uplands deliver and how, and the extent to which, we might achieve integrated delivery of these things.

Taking this thought a stage further, in our more detailed response below we identify, among other things, the importance of the economics of land management and how this shapes the choices that landowners and managers make. In seeking to implement the Land Use Strategy and other changes to the way land is managed in the public interest, the Scottish Government also has to decide how it fosters an approach that is within both public and private financial means. The vision should therefore consider how we collectively ‘invest’ for the future.

## What are the Uplands?

### 1. What broad characteristics should we use to define the uplands?

Scottish Land & Estates feels that whilst we need a reasonable working definition to take us forward at this stage, we should not spend too much time trying to produce a detailed definition.

The Uplands are easier to recognise than to define, and we feel it would be sensible not to interpret any definition criteria too strictly, but instead to enable flexibility so that pragmatic and knowledgeable editing of any proposed uplands boundary map is possible. It is likely that most contributors to the vision will agree that most of the territories of Argyll and the Highlands and Islands will tend to fall within the uplands vision, as will the Southern Uplands and the heather moorland regions of the eastern counties.

We should therefore set simple criteria and be prepared to consider, on a case-by-case basis, anything that falls outside of this criteria that really ought to be included. Altitude is the most straightforward, although we agree with SNH’s synopsis that it is perhaps overly simplistic given that some upland areas in the northwest of Scotland, for example, more or less extend to sea-level. The limit of enclosed farmland is straightforward and has a lot of merit, provided we are prepared to be pragmatic as above. A simple combination of altitude, land capability and vegetation cover may be best.

We would advise against the latter two options given in SNH’s paper. In particular “landscape character” is not objective enough a criterion and we envisage it could lead to long, protracted discussions that we should try to avoid. Local authority areas and Less Favoured Areas – which are due to change shortly anyway to Areas of Natural Constraint – are designed to achieve different objectives to that which this vision/strategy aims to achieve and could be subject to future change that makes them even less relevant.

It may be helpful to consider the Moorland Forum’s definitions, as they have already wrestled with this question.

## What benefits do the uplands provide to Scotland?

### **2. What are the key social, economic and environmental benefits that the uplands provide for Scotland?**

The benefits that the uplands provide are many and diverse – they provide both public goods and market goods and achieving the right balance between these two agendas is vital. The benefits uplands provide include, food and wood products, renewable energy, tourism (sporting, landscape, heritage, cultural and outdoor activity tourism), these areas are major contributors to Scotland's biodiversity (with in some instances unique assemblages of wildlife and habitat this is important in international terms), they are important to water quality and flood risk management, and they are major carbon stores. They also provide outdoor recreation and leisure opportunities and therefore provides benefits to the population's mental and physical health.

### **3. How can upland land use help to prevent or reduce the impacts of climate change?**

Land and how it is used matters greatly in terms of reducing the extent of climate change and mitigating the undesirably impacts of climate change. There are very many ways this can happen. For example, restoring and maintaining peatland in a healthy state enables carbon to be locked away for the very long term. Thus the reservoir of carbon in the atmosphere that enables the formation of carbon dioxide (a greenhouse gas) is, in part, transferred to the ground and kept there by the anaerobic conditions in a healthy peat bog in a state that does not decompose and release carbon dioxide back to the atmosphere. Planting more trees is also beneficial in that the extra trees take up more carbon dioxide from the atmosphere as they grow, although after initial uptake this sequestration becomes cyclical as trees that are felled or die re-release carbon dioxide back to the atmosphere as they decompose (the rate at which this occurs obviously varies depending on the use that felled timber is put to). Carbon is also stored to some extent in other soils (other than peat) and how those soils are managed for cropping plays a role in how effective a carbon store that soil becomes.

The uplands are also capable of mitigating impacts such as increase rainfall, leading to an increased number and severity of flood events. A functioning peat bog, via the sphagnum moss that is present in its vegetation, stores rainwater very effectively (like a sponge) and releases this water slowly to river systems.

“Roughening” of ground, achieved through longer/thicker vegetation in appropriate parts of the uplands, can also slow the speed with which water leaves the uplands through river systems, as well as enabling more to penetrate soils and enter the ground water system.

Upland ponds and wetlands, not just peatlands, again hold water in the uplands mitigating flood risk.

Perhaps more important than a simple listing the ways in which the uplands can assist with climate change reduction and mitigation, is to think about the many areas where there are practical drawbacks to other land use over the practices that may be of benefit to climate change. So, there is some dispute over riparian tree planting following the River Dee flood

last winter. That is, although in normal circumstances trees in riparian areas intercept - through evapo-transpiration - a substantial amount of water keeping river levels lower and enabling greater capacity in flood events, in extreme flooding they can also be ripped from the riverbank causing much damage to bank stability and acting as fast moving torpedoes capable of doing considerable damage as they are carried on downstream. Shrubby vegetation with a strong enough root system to stabilise the bank, but not growing so tall as to become unstable in storm conditions may therefore be better.

Similarly, excessive grazing of the uplands generally does not help vegetative roughness, but reducing say sheep numbers to a level suitable for conservation grazing, is usually too low for commercial viability and they are removed altogether. This can lead to problems associated with under-grazing such as increased prevalence of tick and the loss of wildlife species, some particularly rare, that thrive on open hill and moor.

Looking at these issues in the round will be important, and perhaps also highlights the need to be pragmatic and not advocate nationwide solutions, but rather enable different solutions in different places, supported by an approach of assessing their effectiveness over time and tweak in an iterative way - adaptive management at a regional and local level essentially.

## **What should an upland vision include?**

### **4. A strategic vision could inform decisions about the balance between different land uses in different parts of the uplands. What are the key choices that an upland vision should address, and why?**

We agree that it would be helpful if a strategic vision was able to inform decisions about the balance between different land uses in different parts of the uplands. Obviously this needs to occur at a strategic level and not become prescriptive about what is done on individual holdings, and we are happy that there is no suggestion this would be the case.

One of the key outputs of a visioning exercise should be the provision of a mechanism or mechanisms that support rational land use choices. At the current time there are so many sectoral and political voices and views, that agendas appear to compete rather than complement each other. This makes it incredibly difficult for landowners to make decisions that are beyond criticism from one party or another.

Addressing this issue as far as it is possible to do so, would be a very welcome step forward. We would therefore suggest that an upland vision should make reference to 'a framework for rational decision-making based on land capability and an appropriate balance between the delivery of private and public interests'. The type of mapping being pulled together in the Borders LUS pilot has the potential to be helpful in this respect.

A national vision or strategy will have its limitations however. In our opinion, and in line with the thinking in the Land Use Strategy, the correct spatial scale for land use decisions is at the regional or sub-regional scale - often river catchments provide a sensible means of considering strategic land use planning decisions, but this might not be as relevant when it is only the uplands that are being considered.

The type of choices that a landowner or manager will take into account when thinking about what to do with their land are varied and the relevant importance of each factor will very much depend on their circumstances and philosophy. Factors include:-

Land capability – it is not possible to do all things with all land. The capability of the soil, the altitude and climate are all factors which limit land use choices, and is the first factor that narrows choices particularly in the uplands.

Economic viability – is the person, family, company, organisation or trust in a position to make choices that are not dictated by the need to make a return on investment? If the answer is no and it frequently is for private landowners, then this has to be the overriding concern.

Historic use of the land and knowledge base – land managers will often tend to continue to do with land that which has been done by previous generations. This is in part because other options are limited by natural criteria, in part cultural and in part because they will have inherited the skills and infrastructure to continue to manage in this way.

Appetite for risk/innovation – Different land uses carry with them different levels of risk. Forestry for example is a long-term, capital heavy investment that will not provide a return for around 30 to 40 years, and relies on heavy public funding early in the rotation. It carries with it unknowns/risks over that period of time around tree health, climate change adaptation and value of timber at the time of felling. In comparison to say sheep farming and grouse management, which come with their own year to year risks and uncertainties, it is substantially riskier as an investment.

The owner's own philosophy and desires are important too. No-one wants to carry out activities they have no interest in. Particularly where the owner is in a position to make choices that are not dictated by economics, this factor can come more to the fore, but will always be present to some extent. Some owners wish to spend money earned from other activities on land that is dedicated to conservation and environmental outcomes, while others may wish to pursue sporting or farming interests on their land, which of course bring their own benefits to wider society, such as local employment, spending and conservation of wild species which benefit from these practices.

## **5. Are there any other topics or issues that should be included in an upland vision, and if so why?**

We would expect an upland vision to identify all of the things that both public and private interests wish to see the uplands deliver. It should comprehensively cover “what” we want from the uplands as a society. It should then consider “how” these things can be achieved.

On the “what” question, it must include upland farming, sporting interests, deer management, renewables, biodiversity, water management, climate change issues, recreation, tourism – there may be others. We would not expect any use or potential use of the uplands to be left out. We would also suggest that the issue of people in the uplands is given greater priority than some of the upland discussions which take place. Some land uses help to maintain a population in our upland areas, whilst others may reduce the opportunity for population maintenance or increase.

In terms of “how”, there are broadly three tools that can be employed to influence land use decision-making, these are incentives, practical facilitation and regulation. The latter should only ever be a backstop mechanism used when the first two are not effective or are not appropriate.

## **6. Are there any topics or issues that should be excluded from an upland vision, and if so why?**

As above – anything pertinent to the uplands should be considered. There are obviously tensions around some land uses in the uplands, especially if viewed from a single land use point of view. In this regard it would be inappropriate for the strategic vision to take sides in this debate. If it is to be successful (as we reinforce in subsequent answers), there needs to be broad buy-in from all interests and broad agreement on its recommendations and proposals.

### **How should the vision be developed?**

## **7. Which stakeholders do you think it would be particularly important to involve, and how? Would particular approaches be needed, for example, to reach particular groups?**

It is vital that those that own and manage the land are part of this process from the outset. There must be buy-in to the vision from every sector that has an interest in how land is managed, but for successful it is absolutely vital that those who are on the land and in a position to deliver outcomes are engaged. Those who live in upland areas must also be given a chance to have their say – this must include young people and children who will be affected by any land use decision making.

This must be a truly inclusive process.

## **8. What are your views on the process that might be needed to bring together the key interests and develop a shared vision?**

The most important aspect of any process for us is that it is inclusive and achieves widespread buy-in from those that have an interest.

To achieve this, we believe before any kind of drafting is done, that the views of the all the various interests are sought. There are various mechanisms for achieving this from workshops and seminars, to written questionnaires and consultation, to one-to-one and group interviews and so on.

It will also be important that the process is led by a person or organisation that is seen to be neutral and who has the trust of all parties.

Any resulting strategy vision document must acknowledge the position of all of the relevant interests before reaching any conclusions or recommendations.

As a result of all of the above, the process may be long and will certainly require resourcing, but the outcomes will be better and more effective than something that is rushed and is top-down.

As we have said in our introduction, the process is likely to be just as valuable as the outcome.

We should also acknowledge at the outset that it will not always be possible to reconcile differences. It would be desirable to illustrate the fact that there is no one 'correct' way of seeing, managing or using land. Examples of good practice may however be helpful in such circumstances.

It is clearly important to recognize that achieving any form of vision almost always relies on investment, the sourcing of which has to be a significant factor. A successful 'vision' will help to direct such investment.

## **9. Who would be best placed to lead this process?**

The Moorland Forum already has a breadth to their membership and a remit that would suggest it could be well placed to take on this piece of work, and we suggest the Forum's suitability to lead the process should be properly considered.

## **10. What form should a vision for the uplands take (visual or descriptive, maps, diagram or text)?**

A strategic vision for the uplands needs to be inspiring, but grounded in knowledge of the land, its ecology and the people who live and work there. It has to be based on fact and narrative, but should incorporate visual tools such as maps, diagrams and photographs as far as possible to illustrate points and keep the word count down. We should if at all possible avoid an overly long, text-heavy document.

## **11. Do you have any other comments or suggestions?**

We have not further comments or suggestions to make.