

# Remote Rural Communities Consultation Response

Submitted 31 January 2020



## ABOUT YOU

(Note: Information entered in this “About You” section may be published with your response (unless it is “not for publication”), except where indicated in bold.)

1. Are you responding as:  an individual – in which case go to Q2A  on behalf of an organisation? – in which case go to Q2B

### 2B. Please select the category which best describes your organisation

Third sector (charitable, campaigning, social enterprise, voluntary, nonprofit)

Optional: You may wish to explain briefly what the organisation does, its experience and expertise in the subject-matter of the consultation, and how the view expressed in the response was arrived at (e.g. whether it is the view of particular office-holders or has been approved by the membership as a whole).

The John Muir Trust is a conservation charity dedicated to the experience, repair and protection of wild places. We are the guardians of some of Scotland’s finest wild places including Ben Nevis, Schiehallion and Sandwood Bay. Our main aims are to inspire and connect people to wild places; repair and rewild suitable areas of land for people and nature, and protect and conserve wild places in the UK.

With the support of volunteers we are conserving, repairing and rewilding land at nine UK properties. This work involves maintaining and repairing paths and car parks for public access, monitoring rare species, clearing litter, reintroducing long-lost species, native tree planting and protection, seed collection and plant propagation. At each property we engage with communities on the land in our care, neighbouring land owners (forming partnerships around a shared vision for land management) and with the public, welcoming groups, individuals and families for recreation, conservation days, guided walks, training and workshops.

We support and amplify the voices of communities of people who want wild land to be valued and protected for present and future generations. Through our policy work we promote evidence that wild places support health, vitality, recreation, local economies, are a defence against flooding and can regulate climate change. We present alternatives to damaging land management practices based on our own learning as land managers and conservationists. Through partnerships and alliances we support the emerging restoration of habitats and ecologies at landscape-scale.

We inspire and connect people with wild places by creating opportunities to experience, enjoy and work on the land in our care. These opportunities range from our Wild Space visitor centre in Pitlochry, conservation volunteering opportunities on all properties, an apprenticeship programme for young people and our main engagement initiative, the John Muir Award.

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### 3. Please choose one of the following:

I am content for this response to be published and attributed to me or my organisation

4. Please provide your name or the name of your organisation. (Note: The name will not be published if you have asked for the response to be anonymous or “not for publication”.) Name:

The John Muir Trust

Please provide a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number. (Note: We will not publish these contact details.)

Contact details: richard.williams@johnmuirtrust.org

## AIM AND APPROACH

1. Which of the following best expresses your view of legislating to enhance the consideration given to remote rural mainland communities by public bodies in Scotland?  Fully supportive  Partially supportive  Neutral (neither support nor oppose)  Partially opposed  Fully opposed  Unsure

Please explain the reasons for your response.

The John Muir Trust owns and manages areas of wild land across the Scottish Highlands. Four of our properties are in locations which are classified as ‘Remote Rural’ and thus we see first hand the evidence and experience of the challenges and inequalities faced by communities in these locations. The future health of the country’s wild land, and environment as a whole, requires a healthy, vibrant and growing rural population and thus we are supportive of measures which seek to address and promote this.

2. What do you think would be the main practical advantages and disadvantages of the proposed Bill?

**Advantages:** Affording remote rural communities on the mainland the same consideration now enshrined in law for Island communities would be great step forward for many areas which are often overlooked. A bill could support place based and strengths or asset based approaches to decision making at national and local levels which in turn support community empowerment and the objectives of the Community Empowerment (Scotland) Act 2015. A bill presents an opportunity to consider how Scotland’s land use strategy can work for remote rural communities in the context of a low carbon future and also how guidance under Part 4 of the Land Reform (Scotland) Act 2016 (‘engaging communities in decisions relating to land’) might differ for remote rural communities.

**Disadvantages:** By having a statutory requirement to consider the needs and applicability of policy to different groups may lead to a slight delay in the passing of legislation and roll out of policy at a local authority level, but hopefully this will be balanced in the long run by better provision for these areas.

### REMOTE RURAL PROOFING

**3. Which of the following best expresses your view of placing the concept of Remote Rural Proofing into legislation?**

Fully supportive  Partially supportive  Neutral (neither support nor oppose)  Partially opposed  Fully opposed  Unsure

**Please explain the reasons for your response**

Having legislation which requires a check against the impacts that may be felt by certain areas and then allowing for adjustments to better reflect the specific circumstances and needs of certain communities will be tremendously helpful in making sure that such areas are not unduly hindered, and that any proposed legislation is therefore able to have the desired effect across the whole country.

**4. Which of the following best expresses your view of giving Scottish Ministers power to issue statutory guidance to other relevant public bodies related to Remote Rural Proofing which they would be required to adhere to in exercising their functions and duties?**

Fully supportive  Partially supportive  Neutral (neither support nor oppose)  Partially opposed  Fully opposed  Unsure

**5. If Scottish Ministers had such a power, which public bodies should it apply to, and in relation to which of their functions and duties?**

Statutory guidance related to remote rural proofing should apply to the following public bodies:

- Those with responsibility for providing or coordinating services to remote rural communities such as health, waste, transport, utility supply, planning and education.
- Those with responsibility for providing or coordinating services which make an important contribution to quality of life in remote rural communities – for example digital connectivity for a low carbon future and land use (Scottish Land Commission guidance should have regard to remote rural communities in context of land use and reform in Scotland).
- Those that promote Scotland's remote rural areas as destinations for holiday makers should have regard to any disproportionate impacts felt by remote rural communities as a result of rising visitor numbers and the pressures placed on the natural environment which is an asset for remote rural communities.

- All public authorities with duties to take part in community planning under the Community Empowerment (Scotland) Act 2015.

### EMPOWERING REMOTE RURAL COMMUNITIES

6. Do you agree that councils that serve remote rural areas currently have sufficient powers to deliver positive outcomes for their communities?

Yes  No  Don't know

Please give reasons for your response (and suggest any additional powers that you think these councils should have).

We would caution that expanding powers of councils would need to be accompanied with sufficient or a proportionate allocation of resources and budgets to enable Councils to put their powers into effect. The Community Empowerment (Scotland) Act 2015 was intended to enable communities to become more involved in local decision making. Before expanding powers of Councils it would be helpful to consider how well existing powers given to councils and public bodies under the Community Empowerment (Scotland) Act 2015 have been working with respect to remote rural communities.

### REMOTE RURAL PLAN

A 'National Remote Rural Plan', which would set out an on-going range of commitments across all policy areas of Government to support, promote and empower our remote rural communities to build a wealthier and fairer future for themselves.

7. Which of the following best expresses your view of requiring the Scottish Government to prepare a 'National Remote Rural Plan'?

Fully supportive  Partially supportive  Neutral (neither support nor oppose)  Partially opposed  Fully opposed  Unsure

Please explain the reasons for your response

For reason cited previously, providing more empowerment and support to these communities can only be a positive as far as their sustainable development and long term vitality is concerned.

8. How often should the plan be reviewed?

Every 10 years  Every 5 years  Every 3 years  Every year  Other frequency (please specify)  No need for regular reviews  Don't know

### **ELECTORAL WARDS AND CONSTITUENCIES**

**9. The Boundary Commission is normally required to ensure that all constituencies and wards contain similar populations, even if that results in rural constituencies and wards being much larger than urban ones. At present, the only exceptions are for a few island areas (e.g. Orkney, Shetland and the Western Isles must remain separate constituencies, despite their relatively small populations). Do you believe further exceptions should be made for mainland remote rural areas?**

**Yes** No Don't know

**Please explain the reasons for your response.**

Areas of the North-West Highlands have some of the lowest population densities in Western Europe. Basing electoral constituencies and ward sizes on population numbers has led to huge areas being contained within one area. This puts huge pressure on the representatives elected to serve these areas, making their job extremely challenging and time consuming. These large areas often contain great diversity, in terms of challenges and opportunities, and being split into smaller areas would better enable these factors to be taken into account and addressed.

### **FINANCIAL IMPLICATIONS**

**10. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have on:**

(a) Government and the public sector  Significant increase in cost  **Some increase in cost**

Broadly cost-neutral  Some reduction in cost  Significant reduction in cost  Unsure

(b) Businesses  Significant increase in cost  Some increase in cost  Broadly cost-neutral  **Some reduction in cost**  Significant reduction in cost  Unsure

(c) Individuals  Significant increase in cost  Some increase in cost  Broadly cost-neutral  **Some reduction in cost**  Significant reduction in cost  Unsure

**Please explain the reasons for your response.**

The proposed legislation is important, and we hope that it will be passed before Government. However, the only way to then ensure that it has positive impact is for it to be given the time and necessary resources to be properly implemented and considered and incorporated into other further legislation and policy. To allow for this will inevitably mean some increase in costs to the Government and public sector, but hopefully this would decrease over time, and also be offset by some cost savings to both businesses and individuals in remote rural areas.

### 11. Are there ways in which the Bill could achieve its aim more cost-effectively (e.g. by reducing costs or increasing savings)?

The Bill will need to work in synergy with existing policy that is intended to improve the consideration given to communities in Scotland by public bodies. Perhaps an audit of existing government plans, guidance and legislation, which has been designed for bringing communities closer to decision making, would be a way to see where approaches can be joined-up (and certainly not be at cross-purposes!) across Scottish government. Plans, policies and guidance that could be considered in these early stages to reduce administrative costs at later stages could include, for example:-

- Measures already being implemented through the Community Empowerment (Scotland) Act 2015
- The National Islands Plan
- Scottish Land Commission consultation responses on community engagement in view of creating guidance for involving communities in decisions relating to land use

We also recommend that the Scottish government works closely with Community Councils in remote rural areas and community groups and third sector organisations who are working closely with, or providing services to, people living in remote rural communities, to recognise where there are existing structures or approaches that have enabled and enhanced access to services amongst people living in remote rural communities.

### EQUALITIES

### 12. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected characteristics (under the Equality Act 2010): age, disability, gender re-assignment, marriage and civil partnership, race, religion and belief, sex, sexual orientation?

- Positive  Slightly positive  Neutral (neither positive nor negative)  Slightly negative  
 Negative  Unsure

### Please explain the reasons for your response.

The low population levels and densities across the areas in question mean that the Equality Act's protected characteristics are likely to be more pronounced in the areas that they do occur, and may also often be accompanied by an insufficient allocation of resource, expertise and understanding on how to address them. It should therefore be part of the commitment and intention of the proposed Bill to seek to address this deficit in such areas.

### 13. In what ways could any negative impact of the Bill on equality be minimised or avoided?

We would suggest that there is careful monitoring of the Bill's impacts over time, and indeed that there is a statutory requirement placed on the Government to monitor and address and inequalities that might arise.

**SUSTAINABILITY**

14. Do you consider that the proposed bill can be delivered sustainably, i.e. without having likely future disproportionate economic, social and/or environmental impacts?

**Yes**  No  Don't know

**Please explain the reasons for your response.**

We feel that it's imperative that the Bill can be and that it can demonstrate this, otherwise the future of the bill, and/or eventual legislation, will be called into question.