

Public Ownership of Land in Scotland

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Abstract

The paper examines the ownership of land by public bodies in Scotland in 1872-73 and in the 1970s. The former provides the better data but comparisons with the present day are still possible. The reasons for the marked growth of public land-ownership over the century are discussed and future trends suggested.

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Introduction

How much influence should a government have over the way land is used? In the United Kingdom, government influence has been articulated through fiscal measures, exhortations and statutory enactments. A further channel for influence was provided by the growth of planning as a recognised function of government which started with the Housing, Town Planning Act of 1909.¹ Adams notes that this Act and the subsequent Scottish Planning Acts of 1925 (largely a consolidation of previous measures) and 1932 were relatively ineffective.² The start of effective control of land use by planning is usually considered to have been the Town and Country Planning Acts of 1943 and 1947, though even these Acts were less comprehensive in their influence on rural land use than might be supposed³.

It is arguable therefore that the most effective way British Governments have controlled land use has been by buying the land themselves. This is an emotive subject, bringing together the much-debated principle of whether government should intervene in a market economy and the pragmatic question of the money and

opportunity costs of land-ownership by the State⁴. This paper seeks to elucidate the trends in the public ownership of land in Scotland over the last century. It is argued that this represents an under-researched aspect of rural geography and one, which needs more emphasis in textbooks.

Public Land-ownership in 1872

Data on land-ownership are notoriously sparse even for the present day but fortunately a body of data exists which records the ownership of land in Scotland in 1872-73⁵. This was collected as part of a larger survey of land-ownership in the United Kingdom excluding London. It was instigated at a time when the Land Question was a lively political issue in Ireland and the Scottish Highlands and radical politicians like Brodrick (1881) were making political capital by claiming that there was a very high degree of concentration of land-ownership⁶. The survey was intended to prove these claims were exaggerated. The extent to which land-ownership then and now is concentrated into the hands of a small number of owners is explored elsewhere⁷.

The survey of 1872 also provides details of the amount of land owned by the State in its various guises. Before the 1872 returns can be used one has to be aware that they were the subject of contemporary criticism for alleged inaccuracies, double counting and misinterpretations⁸. Generally, these criticisms applied to England and Wales where the compiling organisation (the Local Government Board) was arguably less alert and well-informed than the Scottish compilers (the Inland Revenue Office in Edinburgh). None of the criticisms which were made refer to the survey's treatment of publicly-owned land and the Inland Revenue declared themselves satisfied that the work had a "general accuracy"⁹. To measure public ownership of land in Scotland in 1872 the printed lists of land-owners in each county were studied, the official bodies recorded there were noted and in Table 1 the principal classes of official land-owners are tabulated. Together they owned about 26,000 hectares of land, which represents 0.34 per cent of the present-day land area of Scotland.

Certain caveats should be given at this point. Firstly, the land surveyed was all land which then bore rates and thus was included in the Valuation Roll of 1872, the compilers' principal source of information. Three main classes of land did not bear rates at that time: *common land*, *woodland* and *Crown land*. The omission of common land need not be a concern since it was not extensive in Scotland (none exists today) and could not by definition be owned by the State. The omission of woodland is not serious either, since the Commissioner of Woods and Forests did not buy their principal Scottish property at Inverliewer until about 1900 and land owned by them was included in the returns¹⁰. Similarly, Crown land was included in the Scottish returns even though it did not bear rates.

Secondly, the use of a modern system of classifying official bodies leads to some uncertainties as to whether the parish heritors should be regarded as private land-owners or as part of the administration of the parish and hence "*official*". The official or private status of some water suppliers is not always clear and most have been included as part of the local authorities unless there is clear evidence to the contrary. Nevertheless, the system of classifying official bodies is consistent and allows comparisons with data on land-ownership in later years.

Table 1: Ownership of Land by the State in 1872

Public Land Owners	Area Owned^⑤ (hectares)	Percentage of land area ^⑥	Percentage of total State land
Parish authorities^①	1,219	0.02	4.70
Local authorities^②	9,545	0.12	36.78
Central Government^③	4,721	0.06	18.19
HM the Queen^④	10,464	0.13	40.33
SCOTLAND	25,949	0.34	100.00
NOTES: ^① Parish authorities includes parish councils and boards, feuars and heritors of parishes, community land in fishing towns and muir commissioners. ^② Local authorities includes commissioners for police, bridges and roads, boards for prisons and lunatic asylums, parks, cemeteries, harbours, poor houses, and land held by magistrates, town councils and Dean of Guild. Also included are water supplies, some unknown proportion of whom were private bodies. ^③ Central Government includes Crown lands, Commissioners of Supply and Woods, lighthouses, defence land, customs and tax bodies, land and property of the Board of Works. ^④ Only Her Majesty's personal property is included here. ^⑤ Areas originally measured in acres. ^⑥ The base for the percentages is the land area in 1979, which is 99.3 per cent of the total land area given in the 1872 returns.			

The land owned by official bodies in 1872 is very limited, even with a rather generous definition of what constitutes official status. The largest official land-owner was the Sovereign, whose personal estate at Balmoral was larger than the entire area owned by all the local authorities and comprised 40 per cent of all publicly-owned land. The largest of the Central Government land-owners were the Commissioners of Supply, the Commissioners of Northern Lighthouses, the War Department and the Board of Works. The largest of the local authority land-owners were the magistrates, town councils and Deans of Guild, who often held large areas of high value land in the cities such as Glasgow and Edinburgh as well as extensive estates in the surrounding countryside. The local authorities in both Glasgow and Aberdeen fell into the latter category. The proportion of publicly-owned land also varies considerably between counties as they were constituted in 1872. The proportion of publicly-owned land is over twice the national average in the counties of Aberdeen, Berwickshire, Caithness, Midlothian, Fife, Renfrew and Selkirk, while it is less than one tenth the national average in Sutherland and Ross and Cromarty.

Growth of Public Land-ownership

It is very difficult to measure the growth of land-ownership by the State after 1872 since reliable data are sparse and the estimates made often refer to Great Britain and not Scotland separately. Also estimates made within a few years of each other can vary considerably due to different definitions of “ownership” and varying interpretations of what constitutes an official land-owner.

The first reliable mapping of land-ownership in modern times was undertaken by Millman between 1968 and 1970¹¹. He recorded all owners of more than about 40 hectares of land but excluded built-up areas and the Northern Isles. The reliability of the survey was affected by the rough cut-off at 40 hectares and was less than hoped for on the urban fringes and in upland parts of Dumfriesshire and Kirkcudbright. Millman’s maps were measured by planimeter by McEwan (1977), who concentrated on estates over 400 hectares and so together they had produced an estimate of the public land-holding¹².

The second modern source of information was provided by the Select Committee on Scottish Affairs, whose report in 1972 provided some information on the major owners of land from Central Government and the nationalised industries¹³. The third source of information was provided by Harrison, Tranter and Gibbs, who conducted a postal questionnaire of official organisations in the United Kingdom in 1976¹⁴. They recorded land-holdings fairly accurately though with some errors due to sampling and non-response. The final source of information is provided by the report of the Northfield Committee in 1979¹⁵, which partially updated some of Harrison’s figures. Unfortunately some of their figures are on a United Kingdom basis and the Scottish component cannot be identified; in all cases they measure only the agricultural land owned by public bodies. The information from each source is set out in Table 2.

Some caution must be exercised when comparing figures from different sources since they use different years as datum and have a different treatment of leasehold land. However, even allowing for this, some anomalies are evident. For example, the Northfield Committee’s figure for the Forestry Commission’s land comprises only the agricultural land they own and excludes all unplanted and forested land. Most figures given in different surveys for the National Trust’s land are far too low. However, the principal difference between the four sources is in the thoroughness with which they have covered the wide range of public bodies owning land. Harrison’s work is the most comprehensive in this respect and, to be fair, the Select Committee did not set out to measure State ownership of land. Its data were essentially uncovered during investigation of other issues of rural land use. However, even Harrison’s work omits some public bodies, which own land such as the Highlands and Islands Development Board (HIDB) and the Nature Conservancy Council (NCC).

It is therefore possible to produce a composite figure for public land-ownership in Scotland by selecting the most up-to-date of the figures in Table 2, avoiding the errors already noted, adding the land owned by the HIDB, the Hydro Electric Board and NCC and updating the Forestry Commission’s and DAFS’s land holdings to 1979 and the Crown Commissioners’ to 1978. This gives a total public land holding of 1,071,090 hectares or 13.88 percent of the total land area. If one includes all the public land, leased as well as owned, the total public estate is 1,290,842 hectares,

which is 16.72 percent of Scotland. Understandably this is a little higher than the earlier and less complete estimates given by McEwan for 1970 (11.23 percent) and Harrison for 1976 (12.84 percent).

Table 2: Estimates of Land-ownership by Public Bodies in Scotland

Public Land Owners All figures are in Hectares	Millman – McEwan 1968/70	Scottish Select Committee 1972	Harrison, et al - Reading University 1976	Northfield Committee 1979
Agricultural Research Council			3,122	
British Airports Authority			2,024	
British Gas			11	
British Rail	18,216		28,825②	
Central Scotland Water Development Board			41	
Civil Aviation Authority			1,619	
Crown Estates Commissioners			35,622	
Department of Agriculture (DAFS)	180,460	175,567	182,436	178,925
Electricity Board			501	
Forestry Commission①	613,838	577,406	613,680	113,900
Local Authorities and New Towns			74,070	
Ministry of Agriculture (MAFF)			2	
Ministry of Defence	19,795	21,170	18,374	
National Coal Board	19,835	19,215	③	
National Trust for Scotland		15,787	35,273	15,690
National Environment Research Council			1,843	
Post Office			45	
HM The Queen	14,519			
Scottish Development Agency				234
Scottish Office (rest)				1,361
UK Atomic Energy Authority			437	
Universities			4,987	
TOTAL	866,663	④	991,195	④
Percent of 1979 land area	11.23%		112.84%	

NOTES:

① Following Dowrick (1974) it is assumed that 80 percent of the Forestry Commission's estate is owned and the rest leased¹⁶. Only the assumed owned area is given here even when the original source did not make this assumption.

② Includes British Rail, British Steel Corporation, British Transport Docks Board and British Waterways Board.

③ No separate figure for Scotland given.

④ Separate Scottish total not given or not attempted.

In Table 3 the public bodies owning land are grouped so as to allow comparison with the data for 1872 given in Table 1. This shows that the parish authorities have ceased to own any land (parishes ceased to function administratively in 1929) while the formerly pre-eminent position of the Crown in public land-ownership has been eclipsed by the growth of central government functions in agriculture and forestry. Nevertheless, the Crown estate is still comparable in size with those of the nationalised industries or local authorities.

The major increase in public land-ownership since 1872 is due partly to the State acquiring interests in fields formerly the preserve of private enterprise. Water supply, council housing and a host of public utilities and nationalised industries are examples of this expansion of State interests and the accompanying acquisition of land. If one makes the comparison with 1872 fairer by including under public ownership the land owned privately in 1872 by gas, coal, railway and canal companies and by educational and medical institutions, the area of public ownership rises from 25,949 hectares to 51,622 hectares, the latter being 0.67 percent of Scotland. Clearly the largest part of the expansion of public land-ownership arises from the State acquiring functions which did not exist in 1872 (nature conservation, for example) and also by the expansion of pre-existing functions particularly relating to defence, forestry and agriculture.

Table 3: Groups of Public Land-owners – 1872 and 1979

Public Land Owners	Area in hectares in 1979	Percent of Public Land in 1979	Percent of Public Land in 1872
Parish Authorities	None	Zero	4.70
Local Authorities	74,070	6.92	36.78
Central Government	823,495	76.88	18.19
Nationalised Industries	52,781	4.93	Zero
Other Public Bodies ^①	37,409	3.49	Zero
The Queen and Crown Estate Commissioners	50,141	4.68	40.33
National Trust for Scotland	33,194	3.10	Zero
TOTAL	1,071,090	100%	100%
NOTES: ① Includes the Agricultural Research Council, National Environment Research Council, UK Atomic Energy Authority, Highlands & Islands Development Board, Nature Conservancy Council, and the Universities.			

Defence lands in Great Britain rose dramatically from 102,000 hectares in the late 1930s to 4,655,200 hectares in 1945 but have since shrunk and are fairly stable now¹⁷. The public forestry estate in 1918 was not much more than Inverliever Forest (5,060

hectares) while in 1970, 792,147 hectares were owned or leased following particularly intense acquisition in Scotland in the late 1930s, and in the 1950s and 1960s. Throughout the 1970s almost 80 percent of the Forestry Commission's planting and acquisition has been in Scotland, although the rate of acquisition has been falling steadily. However, even at their peak of acquiring land the Commission were also selling land better suited for agriculture, which they had bought along with land for afforestation. The Northfield Committee noted that between 1966 and 1976 they had sold 42,000 hectares of such land so that the Commission's estate at any one time is a net figure¹⁸. The expansion of the publicly-owned agricultural estate has been charted by Hunter and Mather¹⁹. Large estates were acquired, mostly between 1918 and 1939 to provide more land in the Highlands for crofts and in the Lowlands to create smallholdings for ex-servicemen, farm-workers and the unemployed. The land held by the Department of Agriculture for farming is slowly and steadily declining, while there has been considerable volatility recently in the agricultural portion of forestry estates, which the Department manage until the land is needed by the Forestry Commission. The Select Committee on Scottish Affairs noted that since 1957 the Department of Agriculture has had a policy of amalgamating its Lowland smallholdings and selling excess land and houses to sitting tenants or for development²⁰. The disposal of Lowland property has been accelerated, particularly since the critical report of the Public Accounts Committee in 1976-77²¹.

Public Land-ownership in the Future

The future trend in public land-ownership will be influenced by economics, politics and social values. Land costs a great deal to buy, so the temptation to sell it at a time of inflating land prices is considerable when finance is tight and when costs of administering the land have to be borne in mind. Currently, the country's continuing economic weakness has made sales of land an attractive way of raising revenue and cutting the recurrent cost of government without reducing greatly public services or raising taxes. Probably the sale of Department of Agriculture land will continue as the need for this legacy of inter-war commitments will continue to diminish. The defence estate is unlikely to alter much as the trend is to seek training areas in North America and continental Europe rather than in the United Kingdom. The future of the forestry estate is less predictable. On past performance it ought to continue to expand but the rate of expansion is being reduced as land prices rise.

The subsidy of hill farmers, cash limits on the Forestry Commission, the general processes of inflation in the economy and the interest of Europeans and Arabs in Scottish hill land for sport and venison production are all tending to raise the price of hill land, which is often owned by wealthier Lowland farmers rather than being independently run. The Forestry Commission's annual acquisition of land is being reduced while their reserve of land for future planting is being eroded. There have been suggestions recently that the Forestry Commission's land should be sold to help reduce the Public Sector Borrowing Requirement. Clearly, the extent of the State forestry programme will be the major determinant of the size of the public estate in the future.

This raises the wider question of why the State owns land. This can either be seen as an end in its own right – the arguments for Sillars for the nationalisation of land, the work of the Land Commissions and the intentions of the Development Land Act of

1975 point in this direction²². Alternatively, it can be seen either in broad economic terms as an opportunity cost or as no more than the inevitable consequence of adopting diverse policies associated with rural development. If the current public land-holding is reduced by sales, it is unlikely there will be sufficient money to expand it again in the foreseeable future unless a government comes into office, which views public land-ownership as a worthy goal in its own right, irrespective of what this policy might cost. Such a government does not seem likely at present.

The future should also bring a clearer understanding of just how much land is held by the State. A provision in the current (October 1980) Local Government Bill proposes that all-statutory undertakings, councils and government departments maintain a register of their land holdings. Although this proposal only applies to England and Wales, it would be unusual if it were enacted south of the Border and not extended subsequently to Scotland. This will represent a clear advance on the situation presented here where attempts at measuring land-ownership today are in reality capable of no more than obtaining figures of the correct order of magnitude. Indeed, the data for 1872 are more comprehensive and capable of a finer regional disaggregation than are the present-day data. However, it is clear from this attempt at measurement that the public estate is now very large and much more research is needed into its use and organisation than rural geographers have given it previously. Similarly, much more emphasis should be given to it in teaching at school and university level and in textbooks.

References

- ¹ Housing, Town Planning, Etc., Act, 1909, ch. 44.
- ² Adams, I. H. (1978) *The making of Urban Scotland*, Croom Helm/McGill, London, p223.
- ³ Town and Country Planning (Interim Development) (Scotland) Act, 1943, ch. 43. Town and Country Planning (Scotland) Act, 1947, ch. 53.
- ⁴ Shaw, G.B. (editor) (1962) *Fabian Essays*, 6th edn., Allen and Unwin, London.
- ⁵ *Owners of Lands and Heritages 1872-73 (Scotland)*, House of Commons Accounts and Papers 72(3), 1874.
- ⁶ Brodrick, G. C., (1881) *English Land and English Landlords*, Cassell, Potter Galpin, London.
- ⁷ Clark, G., (1981) Some secular changes in land-ownership in Scotland, *Scottish Geographical Magazine*, Vol.97 (1), pp27-36.
- ⁸ Bateman, J., (1883) *The Great Landowners of Great Britain and Ireland*, 4th edn., Harrison, London.
- ⁹ *Owners of Lands and Heritages 1872-73 (Scotland)*, House of Commons Accounts and Papers 72(3), 1874, p.iv.
- ¹⁰ Ryle, G., (1969) *Forest Service*, David and Charles, Newton Abbot, p174.
- ¹¹ Millman, R., (1969) The marches of the Highland estates, *Scottish Geographical Magazine*, Volume 85, pp172-181. Millman, R., (1970) The landed estates of northern Scotland, *Scottish Geographical Magazine*, Volume 86, pp186-203. Millman, R., (1972) The landed estates of Southern Scotland, *Scottish Geographical Magazine*, Volume 88, pp125-133.
- ¹² McEwan, J., (1977) *Who Owns Scotland?* Edinburgh University Student Publication Board, Edinburgh.
- ¹³ Select Committee on Scottish Affairs, (1972) *Land Resource Use in Scotland*, House of Commons Papers 511 -v.
- ¹⁴ Harrison, A., Tranter, R. B. and Gibbs, R. S., ((1977) *Landownership by Public and Semi-Public Institutions in the UK*, Centre for Agricultural Strategy Paper 3, Reading.
- ¹⁵ Northfield Committee, (1979) *Report of the Committee of Inquiry into the Acquisition and Occupancy of Agricultural Land*, Cmnd. 7599, HMSO, London, pp143-153.
- ¹⁶ Dowrick, F. E., (1974) Public ownership of land – taking stock, *Public Law*, pp143-153.
- ¹⁷ Ministry of Defence, (1973) *Report of the Defence Lands Committee 1971-73*, HMSO, London.

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- ¹⁸ Northfield Committee, (1979) *Report of the Committee of Inquiry into the Acquisition and Occupancy of Agricultural Land*, Cmnd. 7599, HMSO, London, pp143-153.
- ¹⁹ Hunter, J. C., (1976) *The Making of the Crofting Community*, John Donald, Edinburgh.
- Mather, A. S., (1978) *State-Aided Land Settlement in Scotland*, O'Dell Memorial Monograph No. 6, Department of Geography, University of Aberdeen.
- ²⁰ Select Committee on Scottish Affairs, (1972) *Land Resource Use in Scotland*, House of Commons Papers 511 -v.
- ²¹ Public Accounts Committee, *Sixth Report 1967-77*, House of Commons Paper 450, 1976-77, HMSO, London.
- ²² Sillars, J., (1972) Proposed amendment to Select Committee on Scottish Affairs, *Land Resource Use in Scotland*, House of Commons Paper 511, i, HMSO, London, pp129-137.