

# *They ask not what they can give but what they can take*

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The lesser (rarely) spotted Vestey is not, of course, indigenous. There is a smallish nest site in the Borders, but you're more likely to catch this largely non-native species in Saffron Waldon, Essex, or Haverhill, Suffolk. Except during periods of migration where sightings are possible in Sutherland, provided you can gain access to the right part of an estate not far short of 100,000 acres. Those who eagerly rush to defend the reputation of Scotland's major landowners are wont to cite the committed custodianship of the Buccleuchs, or indicate what a thoroughly nice and hard-grafting chap is the Duke of Westminster. The Vesteys have not normally featured in any such resume under the headings of the great and good.

This is not unconnected with a distressing genetic phobia in the family which manifests itself as an illogical fear of the taxman and a resulting disinclination to send very much revenue to that nice Gordon Brown. As Edmund Vestey declared with a frankness which might have embarrassed more sensitive citizens: "*We're all tax-dodgers, aren't we?*" Actually, no. But when you are extremely rich, one of the ways you stay that way is to employ specialist teams whose task is avoidance of duties (fiscal and otherwise). A second speciality is utilising conservation tax schemes and heritage funds from various sources in order to acquire anything from free fencing – keeps the animals in and the plebs out – to stately home improvement.

Neither are the Vesteys among those who see any part of their mission as an obligation to the people who live and work in the part of Scotland they have colonised. Faced with a danger of responsible husbandry, their response has generally been to sell off anything which might cause financial discomfort. The part of Assynt which the local crofters famously bought in the early nineties, triggering subsequent community buyouts, was thought to have been disposed of because the 21,000 acres of crofting land was subject to irritating legislation. The initial purchasers, Scandinavian Property Services, seemed unlikely to represent the forces of Highland modernity and prosperity, but its disinterest ultimately benefited the locals when it sold it on.

Now we have the Vesteys proposing to hive off another whack of Scotland: 40,000 acres which might apparently be causing them a little local difficulty with the Deer Commission. The visionaries of Assynt Crofters Trust have described this as another opportunity for self-determination in their neighbouring community; another chance to fashion a future built on sustainability and employment opportunities for the young men and women for whom this should be not just their natural heritage, but their natural inheritance.

Fears have been voiced that the suddenness of the sale announcement will wrong-foot the locals who have been given scant time to build up a team to prepare and lodge an application. But the section of the Land Reform Act dealing with late applications acknowledges that people might have lacked sufficient advance knowledge, and allows delayed paperwork to go through provided there is sufficient evidence of public support and public interest. They can, in effect do so at any time, provided no missives have been concluded, and after their application is lodged, no sale can take place until the relevant minister accepts or rejects the buy out.

A more tricky hurdle is persuading the Scottish Executive to apply the same rule to uninhabited land for sale as it does to the crofting variety. But at least, and at last, we are beginning to reap the reward of the Land Reform Act, too modest as it still is in the scale of its ambition.

So half of me rejoices that this long-promised legislation has flushed out another possibility for a community to re-establish control of its own destiny, and half of me rages at the thought that iconic treasures like Suilven should be “*owned*” at all. It’s only when circumstances like MacLeod of MacLeod threatening to put Skye’s incomparable Cuillins on the open market because he needs a new roof for the chiefly pad, that we realise the full absurdity, and obscenity, of how an unfettered and unregulated system of land dispersal has sabotaged our birthright.

Under the current act, as the small print assures us, there has to be “*a willing seller*”. Which means, of course, that there is no trigger to new public ownership offered by the death of the incumbent? People can and do and will inherit vast parts of Scotland. a quarter of our country is still in the hands of 60-odd owners, some of whom responsibly manage their holdings, albeit on a feudal basis, and some of which are offshore trusts that are not subject to the laws of the land in which they have acquired a sizeable interest.

Indeed, even some of those who do have a long-standing association with their land, and who spend at least the “*season*” in Scotland, have found it prudent to use flags of landowning convenience in such deeply Scottish quarters of the globe as Liechtenstein and Liberia.

From time to time rather jolly gents make pronouncements on behalf of the Scottish Landowners’ Federation. When you hear them, when you meet them, they endeavour to give the impression that the only thing distinguishing their members from Father Christmas is the number of antlers on the local reindeer.

They are, in fact, more tightly-knit and shrewdly-networked than any trade union. Partly because of generations of strategic inter-marriage (by their hyphens shall ye know them) and partly because they think, as one advised me, that they must assume a posture of eternal vigilance against the onrush of socialism heralded by Labour administrations.

Laugh? I thought I’d never start. This is not by way of a plea for a land grab – although that happens to have been the tactic of choice for the ancestors of many of the grandees in question. But the Scottish Executive, having started on the land reform trail, has got to be as hard-nosed with the Scottish aristocracy as it, quite

properly, has now been with those who have had an easier tax ride on their second homes.

It has to make sustained effort to complete a comprehensive survey of who owns what and who pays what. As the indefatigable Andy Wightman, author and land reform campaigner, has noted before now, if they could manage that degree of nationwide accountability in 1872 with quills, it shouldn't be beyond the wit of a computer-laden administration. Paying taxes on what they own and what they earn to the country, from which they demand breaks and benefits, needs to be just as much an obligation for the rich man in his castle as the poor man at his gate.

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