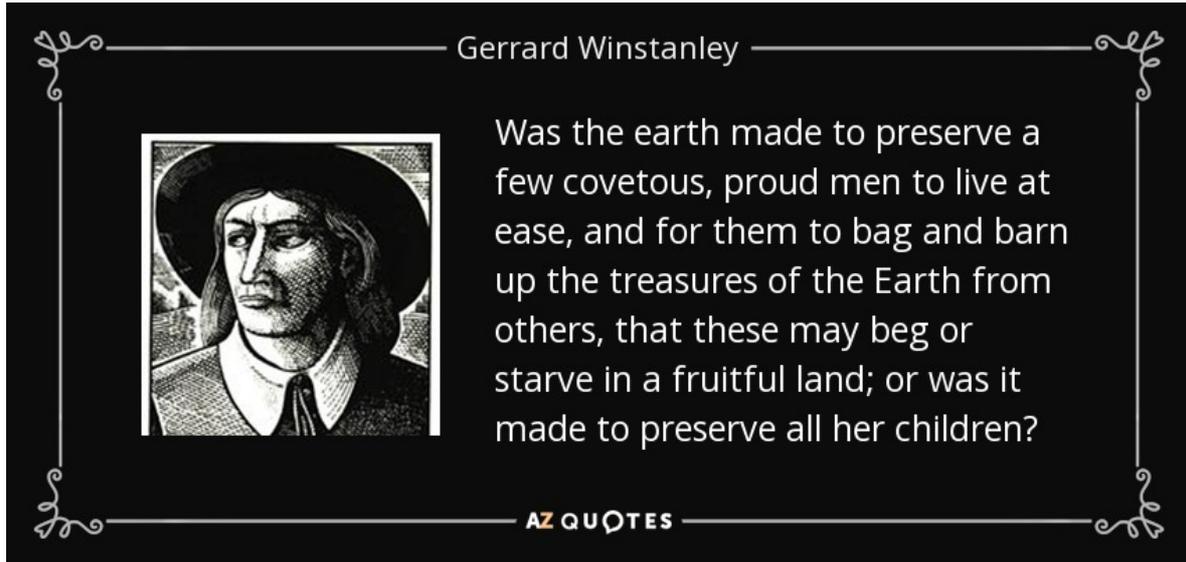


PEOPLE'S LAND POLICY
Draft One

We abuse land because we regard it as a commodity belonging to us. When we see land as a community to which we belong, we may begin to use it with love and respect.

Aldo Leopold: Sand Country Almanac



We define 'land' to mean all the earth's resources, including the physical surface of the earth, both land and water, and what lies beneath this surface. Land is an ecosystem that needs to be considered as a 'Commons'. These are things that we inherit and create jointly; gifts of nature that belong to all of us. The Commons is also a social process, a community of people who devise governance to steward these resources to ensure equitable, holistic use.

There are many groups campaigning around the country and the world on a variety of land-related issues. However, they are not united. If they reframed their struggles as land struggles, then a much more effective and powerful common front could be created. Homes, food, parks, and economic, community and social spaces are all either built on land or transform land for a particular purpose. The way land has been exploited by mining and agribusiness are also issues for environment and social and economic justice campaigns. Being able to have access and control of land would effectively make it possible for the different campaigns and groups to achieve their aims. What is needed is a common manifesto: a People's Land Policy

Developing a People's Land Policy

There are four stages to making a Land Policy.

1. Decide what the fundamental aims and principles of a land policy are, ie what we want generally to happen. These are aims and principles which inform the overall policy and what steps are taken at different stages.
2. Elaborate and develop the aims and principles, explaining why these aims and principles are important and providing more detail.
3. Identify specific aims, policies and actions that can translate the aims and principles into actual changes. This will also necessitate some new legislation and changes in the current law, through a Land Reform Act.
4. Develop short-term, immediate and long-term strategies which unites the various aspects of the Land Justice Network: policy, education and outreach, and action.

Fundamental aims and principles of land reform (Steps One and Two)

- 1. Land reform must be approached holistically with an integrated set of policies in order to balance a variety of potentially conflicting land uses, eg housing, food, social/cultural, recreation, environmental and biodiversity and others.**

Land needs to be seen as a complete ecosystem which also includes what lies underground, water, and all life forms. Therefore, decisions about land must be made with a holistic and integrated approach which can take into consideration the complex relationships that exist between different aspects of the earth's ecosystem.

We recognise that there will be conflict of interests and that people will need to make compromises. However, long-term aims and the needs of future generations must come before short-term aims. All decisions on land use must be compatible with environmental concerns such as climate change and pollution. For example, agroecological principles should be the basis of food and farm production and plans for housing should not undermine the need for green spaces for both human recreation and health and biodiversity. Decisions about development of mineral resources must be compatible with other aims such as spreading benefits and environmental impacts. Renewable energy projects must also be in keeping with environmental aims as well as the local community and other communities of interest.

Land reform policies should aim for a good quality of life for all, so an integrated policy must treat everyone equally and not allow for some to benefit more than others.

- 2. Land should be considered as a Commons, a source of wealth that belongs to all of us and that should be protected and managed for the good of all, including future generations.**

Land is currently divided up between various 'owners' including private individuals, corporations, institutions and government. The concept of ownership of land is very different from the concept of the Commons, a form of wealth that belongs to all of us. In the first, the owner can fence off a piece of land both physically and metaphorically. The rights to do what they want are absolute and exclusive and land is managed for private gain. In the ownership model the 'owners' reap many benefits from their ownership as well as have the power to make decisions about what the land is used for and who has access to the land, with some controls via the planning system. In the alternative 'Commons model', though an individual may occupy or seem to 'own' a piece of land, it is recognised that consideration needs to be given to impacts on others, including future generations, spreading benefits, and long-term stewardship. In order to achieve the aim of transforming land into a Commons, where use will be subject to democratic control and contribute to the well-being of all, it will be necessary to make a number of changes to the current system.

- 3. Decision-making must be fully participatory, democratic and inclusive.**

Currently decisions about land are made by those who own the land, whether private or public, subject to market forces and with limited control by elected officials via the planning system. In order to develop and implement a fully integrated people's land policy everyone needs to engage in effective processes that enable them to feed in to a national-level policy on how land should be used and managed and then to engage in local decision-making on how the policy should be implemented locally. The principles of recognition, inclusion and fairness underpin the People's Land Policy. Access to land is unequal throughout society, such as along lines of class, race, gender, age and ability (disability). Processes and mechanisms are needed to ensure a fair distribution of resources and justice for all.

Specific Aims and Policies (Stage Three)

1. Land reform must be approached holistically with an integrated set of policies in order to balance a variety of potentially conflicting land uses, eg housing, food, social/cultural, recreation, environmental and biodiversity and others.

| Aims | Policies to achieve aims |
|---|--|
| All land should be subject to rigorous, democratic planning. This will include minerals and what lies below the surface as well as water (coastal waters, rivers, canals, marshes and lakes). | Establish a Land Commission that looks at urban and rural land in England and covers ownership, land rights, land management and the use of land. This will take evidence at public events held regionally and operate with high levels of participation from all sections of society. |
| Ensure that land use is compatible with environmental objectives such as tackling climate change, biodiversity and the needs of other species, and human health and well-being. | |

2. Land should be considered as a Commons, a source of wealth that belongs to all of us and that should be protected and managed for the good of all, including future generations.

a. Reduce the concentration of ownership and increase public, community and co-operative-type ownership

The system of land ownership must facilitate and reinforce the aim of making the benefits of land accessible to all. The current unequal distribution of land, with ownership concentrated in the hands of a small minority is incompatible with this aim. Policies need to be adopted that will provide mechanisms to maximise the amount of land that is owned by ‘the public’ in some form, whether that be the government, local communities, communities of interest or co-operatives.

Specific aims and policies

- Moratorium on the sale of public land, including all land owned by the national and local State (eg NHS, London Transport, MOD and Crown Estates). This land should be used for promoting social and economic justice and the long-term interests of society.
- Reform the feudal legacy of the Norman Conquest.
- Support for and promotion of different forms of common/collective ownership and management – from commons to housing co-ops and community land trusts – to build strong and sustainable communities at a human scale.
- Increased powers to compulsory purchase land in order to meet public needs and to increase public and community land ownership. This should be at the existing use value rather than potential or ‘hope’ value.
- Make it economically unviable to own large tracts of land. (This could include inheritance taxes, increased taxes on larger units).
- Reform the agricultural subsidy system. Instead of the existing subsidies that encourage the creation of larger and larger farms, payments should support small farms. Payments should be made on the basis of workers per agricultural landholding rather than on the amount of land and subsidy payments should be conditional on delivering public goods.

- Minerals and water should be returned to public ownership and developed in keeping with the national priorities for environmental and social aims, and not for profit. There should also be local community input to the management of mines and water to ensure that there are no adverse effects on that community.

b. Reduce the price of land.

One of the main obstacles to making land a Commons such that we all have access to what we need is the high price of land and the way it is bought and sold. The price of what is on the land, eg a house is determined largely by the price of the land itself. Therefore, in order to bring housing, food, and other human needs within reach of all, the price of land must come down. The ultimate aim is for land to have no price as a commodity. Currently demand for land is made up *primarily* of investment (**speculation and hopes of accruing economic rent**) and, *to a lesser extent*, demand from those who want land for their own use, eg a house. Both contribute to the high price of land.

There are several overarching options for achieving this objective of reducing land prices. It will be necessary to further discuss these options and the choices made will affect other aspects of the PLP.

One is based on taking land out of the market so that it cannot be bought and sold and therefore has no price. This land would be transferred to a community/public trust. People would only own what is on the land- have exclusive rights to using that land for a lifetime. It is the use of land that could be bought and sold and not the land. The other approach is to use the tax system. To do this the value of land and the value of what is on the land must be separated. This would enable the land to be taxed to the point that it has no value. Other taxes could be levied on what is on the land.

(This is the most difficult issue to resolve. Both approaches have unanswered questions and obstacles. For example, would a family be able to transfer exclusive rights to their children? How would we go about transferring land to the community/public trust? Would all land uses be treated equally in a taxation system? Isn't there a difference between land being used to make a profit and land that is used for a public good such as a community garden? Potentially there could be exemptions from the land tax for certain projects.)

If there is not a price mechanism to allocate land and its benefits, how do we make these decisions?

However, there are some policies that we can identify now that will contribute to the reduction in the price of land.

Specific aims and policies

Reducing investment demand

- End Land Banking. This means that developers will not be able to buy up land with planning permission and then wait until the value of that land goes up before building on it.
- End practices by which developers acquire and hoard land with options of future development.
- End 'buy to leave'. This would mean that individuals or companies would not be able to buy land and not use it for an agreed purpose, such as leaving a property empty. A purpose, however, could include leaving the land wild for biodiversity.
- Remove incentives such as 'right to buy' and 'buy to let' that take land out of public ownership or encourage buying land as an investment.
- Remove legal ability of housing associations, and other institutions such as universities, to cash in on formerly public land (now used as financial assets). Housing Associations should be returned to their original purpose and legal requirements.

- Limit the benefits that a landowner gets from owning land, eg rent paid to landowners (rent control).
- Anyone owning land must be resident in the UK. Individuals and companies should not be able to buy land as an investment from outside the UK.

Reducing other demand for land

Demand for land also includes individuals who want to buy a house or a farm. Currently the system encourages people to want to own their own home. Part of this is cultural- the concept of one's own home or the family farm. However, if we are to reduce the price of land then this demand also needs to be reduced. Many of the previous policies to do with land ownership and reducing investment demand will have a positive impact on reducing the urge to buy land, eg ending 'buy to let'. If land is in the hands of the public or community then everyone can benefit without actually owning any land themselves.

Specific aims and policies

Increase the amount of good quality, secure social housing which includes homes with gardens so that there is less pressure on people to buy homes.

- Heavily tax the buying of a second home.
- Facilitate the extension of the co-operative model for homes, agriculture and business.
- Other reforms that reduce insecurity such as pension reforms and rent controls.
- Reform the financial system such that the both the financial system itself and the economy does not depend on ever rising house prices.

c. Capturing the value of land price increases

The price of land will not reduce to zero in the immediate term. It will in many cases continue to increase because of factors such as desirable location. We need a mechanism to capture the increase in the price of land and spread these benefits across society.

Specific aims and policies

- Taxation such as capital gains tax applied to all increases in the price of land that arise from factors not linked to improving of the land by the owner. This would be continuing and not just when the land was sold.

d. Increase access to land and land-based assets

As land reform will not immediately create a situation where there is no ownership of land, we need to take steps to increase public access to that land which will remain in private ownership. There are currently restrictions on access in the countryside and in the urban areas.

Much progress has already been made on the right of individuals to access land for quiet recreation (non-motorised). However, there are still restrictions in many places and England and Wales does not have the same rights as in Scotland. The main difference between Scotland and England is that in Scotland you have the right to access all land unless it's around a private house or building. In England and Wales, only designated footpaths on official maps is available for public access and only on foot. Of course there needs to be responsibilities as well as rights which would need to be set out and there will be reasons why we would want to restrict certain activities on land.

Increasingly spaces that were owned and/or open to the public are being privatised and access is restricted and controlled. Examples of this are large shopping malls and the area around them such as Westfield in Stratford, London and Liverpool 1. Canary Wharf is also an example of a privately owned space where it is illegal to protest or do anything that is not approved, ie that does not involve going to work or spending money. Parks are also being used increasingly as places for events that restrict usage of the space to those who pay for the event.

Specific aims and policies

- The right to roam should be extended to include all land unless it is around a house or building.
- Privately Owned Public Spaces (POPS) (large squares, parks and thoroughfares that appear to be public but are actually owned and controlled by developers or other private companies) should be made public and democratic controls put in place to reclaim these public spaces from corporate interests.
- Curtail the use of parks for paid public events. Parks need to be funded by the public and not through money-raising events.
- Decriminalise squatting. Squatting is a means for people to house themselves when they are in difficult circumstances. There are many empty properties and squatting should be seen as a legitimate way of utilising what is wasted space.
- Make it easier for groups to gain access, rather than ownership, to land in order to set up co-operatives, establish community centres or gardens, build homes, and set up farms. The right to defend land valuable to a community should be strengthened by improving existing legislation (like Assets of Community Value). There should be recognition of the non-economic value of land.

e. Take into account the interests of all, including future generations

The Commons must be something that is durable and sustainable such that every human and their descendants will be able to benefit equitably from the land.

Specific aims and policies (to be developed)

3. Decision-making must be fully participatory, democratic and inclusive.

Specific aims and policies

- Make the Land Registry transparent, complete, compulsory and freely available, so the public can find out with ease who owns land and how to interpret such information. It should include a full map of land ownership and integrate with other information about land, such as land valuation and public access provisions. It should also include the history of ownership and information about previous covenants that applied to the land.
- Local Authority asset registers to be a statutory register that is transparent and easily accessed, with a legal right for communities to protect and manage these assets as a common wealth (or commons). Local Authorities must maintain a list of assets available for transfer to community organisations.
- A “Community Right to Manage” would enable communities to propose new management arrangements for assets of community value, including agricultural land and buildings.
- Develop mechanisms and processes that deliver effective, meaningful and continuous community participation at all stages of strategic and local planning and decision making. This will specifically include educational and outreach work.
- Curtail the power of those with wealth so they are unable to unduly influence the planning system.
- Establish democratic structures for managing public housing which include representatives of tenants and residents and representatives from the wider community and the local authority.
- Forests should be managed according to policies that have been formulated by participation from the wider public as well as local interests. Forests have an important role to play in fulfilling aims of all people, eg offsetting climate change as well as providing resources. However, local communities also have an interest in how forests are managed and should be involved in the local management of forests.
- Extend community rights to neighbourhood planning as an important platform for participation in planning policy and policy implementation, with programmes to ensure take-up in working class neighbourhoods and the participation of under-represented and excluded groups.

- Use participatory budgeting in an ambitious way, not the mere allocation of small grants, so that citizens influence major/strategic spending decisions.