

SUSTAINABLE GROWTH AGREEMENT

Scottish Environment Protection Agency
&
Scottish Land Commission

September 2018



Our joint vision

Scotland is a nation where land is used productively for the benefit of all its people and where abandoned, neglected and derelict land is no longer tolerated.

The purpose of this agreement is to create a collaborative, outcome focused framework to help achieve this vision.

Our objectives are to:

- Build broad-based support for a concerted national effort to tackle the problem of long-term brownfield vacancy and dereliction by engaging proactively with local authorities, other public agencies and relevant organisations within the third and private sectors;
- Identify the causes and consequences of long-term brownfield land vacancy and dereliction, and understand the barriers to bringing it back into productive use;
- Review current policies to identify and where appropriate, remove barriers for redevelopment of long-term vacant and derelict sites; and
- Create and embed a more strategic approach toward tackling long-term brownfield land vacancy and dereliction at a national level and within key partner authorities.



What is this agreement for?

Sustainable Growth Agreements (SGA) are voluntary, non-legally binding, formal agreements through which an organisation (or organisations) and SEPA can explore new and innovative ways to improve environmental performance and focus on practical actions that deliver broader outcomes that help deliver environmental, social and economic success.

SEPA and the Scottish Land Commission ('the Parties') will use this Agreement to focus on the delivery of our shared vision for dealing with vacant and derelict land in Scotland.

The Parties agree to work collaboratively to deliver the commitments set out in this Agreement. The Agreement aims to support a transformative approach, moving towards long-term prosperity (environmental, social and economic success) supported by inclusive, sustainable growth.

It is not about 'business-as-usual' but rather about pushing boundaries, providing leadership and challenging and changing the current way we do things.

In doing so, we can create prosperous places that live up to that bold and aspirational vision of a modern, forward-looking, sustainable Scotland, operating successfully within the constraints of our one planet.

The Agreement creates a safe space for collaboration, identifying opportunities for SEPA, the Scottish Land Commission and partners to go beyond regulatory compliance to develop new and innovative ways of working, while delivering One Planet Prosperity.

All relevant legislation continues to apply to both parties and nothing in this Sustainable Growth Agreement is intended to, or shall be deemed to:

- Establish any partnership or joint venture between the Parties, constitute any Party as the agent of the other Party, nor authorise any of the Parties to make or enter into any commitments for or on behalf of the other Party, and
- Adversely affect or prejudice the ability of both parties to act in their respective statutory capacities.

Why collaborate?

SEPA's Vision: One Planet Prosperity

SEPA has chosen the phrase 'One Planet Prosperity' to reflect the challenge all nations, cities, businesses and communities face, of reducing the over-use of the planet's natural resources. The challenges of the 21st century mean that an Environmental Protection Agency must also increasingly help its society to tackle diffuse sources of pollution, over-use of natural resources and major environmental challenges, such as climate change.

According to the ecological footprint measure, if everyone in the world were to live like the average Scottish citizen, we would need approximately three planet Earths to provide all their resources and absorb all of their waste. We only have one planet, however, and most nations around the world face the dilemma of significantly over-using our one planet's capacity to support human activity.

While more efficient production processes and better product designs will help reduce our society's ecological footprint, there is also a need for households, businesses and the whole of the public sector to consume less, and to use resources such as vacant and derelict land more productively.

This is the motivation behind SEPA's participation in this agreement

Scottish Land Commission's Vision: Making More of Scotland's Land

The Scottish Land Commission (SLC) was established on 1st April 2017 as a result of the Land Reform (Scotland) Act 2016. Our vision is a "fair, inclusive and productive system of ownership, management and use of land that delivers greater benefit for all the people of Scotland".

We are guided by objectives to increase the productivity, diversity and accountability of the way land is owned and used in Scotland.

We have identified four strategic priorities that will help to achieve our vision. One of these is reforms to support more productive use of land for housing and development.

Within this priority we want to identify measures to bring vacant and derelict land into productive use.

Our motivation for participating in this agreement is to support a cultural change which delivers the long-term outcome of reducing the amount of vacant and derelict land, helping make more of Scotland's land for more of Scotland's people.

We know this is no small task. There are currently around 11,800 acres of vacant and derelict land in Scotland and much of it has been in that condition for many years. To bring about a significant reduction will require a concerted national effort involving stakeholders from across the public, private and third sectors. We hope that this agreement will provide a catalyst for achieving this.

By collaborating in this unique way the SLC and SEPA will align our collective remit, powers, skills and expertise to help design and implement systemic rather than piecemeal solutions to bring vacant and derelict land back into productive use.

What we will do

The primary objective of this SGA will be to create a new collaborative framework for dealing with vacant and derelict land in Scotland that will harness a broad range of expertise, skills and creativity to unlock inclusive sustainable growth opportunities.

To achieve this we will:

- Establish a national task force with representation across the public, private and third sectors that will take ownership of tackling the problem of long-term land vacancy and dereliction;
- Develop and publish a 10 year strategy for eradicating the problem of long-term land vacancy and dereliction that incorporates ambitious targets and performance indicators and commands wide-spread support at both the local and national level;
- Work with local authorities to support their key role in delivery and raise the profile of the social, economic and environmental opportunities of tackling long-term vacancy and dereliction;
- Develop practical tools to support better decision making at a local and national level; and
- Create a safe space for innovation and collaboration and bring together a broader range of expertise to create and help deliver more ambitious outcomes.

SGA commitments

In addition to the commitments set out below both partners will:

- Work together to implement successful innovation to support sustainable economic growth and help realise improvements to the environment;
- Help facilitate a collaborative approach to create a strategic outcome focused framework for dealing with long-term land vacancy and dereliction in Scotland
- Facilitate engagement with key players and potential partners to create a volunteer task force to bring a broader more strategic approach to making more use of vacant and derelict land in Scotland; and
- Help facilitate access to industry specialists and key Industry stakeholders to support the aim of making better use of Scotland's vacant & derelict land.

In pursuance of our shared vision and to support the aims of this SGA:

SEPA will:

- Commit our Head of Strategic Initiatives to work on behalf of SLC/the partnership for a period of one year as strategic director with the option to review annually for an additional two more years (to end of December 2021), based on achievement of agreed objectives;
- Facilitate a more coordinated mechanism for sharing expertise on flooding and regulation including directed input from our strategic place-making function;
- Bring an aligned approach to tackling sites experiencing long-term dereliction including land potentially falling into the Part IIA Contaminated land regime;
- Actively promote and communicate the initiative to maximise exposure and share good practice via existing professional networks;
- Help facilitate access to International think tanks, agencies and specialists including key Industry stakeholders to support the aim of making better use of vacant & derelict land;
- Commit to share information and data to support the new approach and share expertise where appropriate and required.

Scottish Land Commission's will:

- Commit staff resource to the leadership and delivery of this initiative, including senior staff time to drive forward the initiative, analysis and engagement and provide project management support;
- Commit financial and procurement support to deliver research and analysis that may be required to deliver the initiative;
- Actively promote the initiative to maximise exposure and share good practice via existing professional networks.

Governance

This Agreement and its specific commitments will be subject to on-going review. Both parties commit to working together and developing both the strategy and its action plans as time progresses. A formal review will be undertaken every year whereby annual performance will be reviewed against each parties' commitments. Any improvement actions will be considered and mutually agreed in the interest of achieving the objectives set out in this agreement.

All applicable laws continue to apply and nothing in this Sustainable Growth Agreement is intended to, or shall be deemed to:- establish any partnership or joint venture between the Parties, constitute any Party as the agent of the other Party, nor authorise any of the Parties to make or enter into any commitments for or on behalf of the other Party; and adversely affect or prejudice the ability of SEPA to act in its capacity as a regulator.

The Parties have agreed that this Sustainable Growth Agreement will remain in place for a minimum of one year from the date of signing. This Sustainable Growth Agreement is not legally binding and creates no legal rights or legal obligations between the Parties. Both Parties are accountable and responsible for honouring their commitments in this Agreement.

This Agreement will be made available to the public by both Parties (e.g. on SEPA and the Scottish Land Commission websites). There will be a formal Annual Review and joint Annual Reporting by SEPA and the Scottish land Commission to assess progress against the commitments set out in this Agreement and to assess success.

The Annual Review and joint Annual Report can also identify areas of focus for the following year, possible amendments to the Sustainable Growth Agreement and opportunities to promote the Sustainable Growth Agreement. The joint Annual Report on this Sustainable Growth Agreement will be presented to the SEPA Board and the Scottish Land Commissioners and made available to the public. Both Parties reserve the right to withdraw from this Sustainable Growth Agreement if they believe it is no longer effectively promoting their aspirations. If one or other of the Parties is considering withdrawing they will notify the Chief Executive of the other party in writing of their intention. Both Parties agree to work together to seek a resolution wherever possible.

Signatories:

Signed For and On behalf of the Scottish Land Commission:

Hamish Trench, Chief Executive

Signed For and On behalf of SEPA:

Terry A'Hearn, Chief Executive

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<http://contactscotland-bsl.org/>