

# **Community right to buy review: consultation**

**July 2025**

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## **1. Ministerial foreword**

The first Community Right to Buy was introduced over 20 years ago in the Land Reform (Scotland) Act 2003, with the aim of increasing opportunities for communities to take ownership of local land and assets. Rights have been extended in a number of ways since and now cover rural, urban and crofting communities; pre-emptive and compulsory rights; land and assets that are being neglected, and land to support the sustainable development of communities.

Since 2003, 268 applications have been received from community groups seeking to acquire their own assets, with two-thirds of these (175) approved by Scottish Ministers. Community Rights to Buy have made a significant contribution to our aim of increasing community ownership, alongside other routes into community ownership and control, such as Community Asset Transfer.

Since asset transfer legislation was introduced in 2017, over 300 public assets have been transferred to community ownership, lease or management, from community halls to parks and woodlands. This legislation is the first of its kind in the UK, shifting the balance of power towards communities and ensuring that asset transfer is available throughout Scotland. A Scottish Government review of asset transfer legislation was published in March 2025 and its findings will inform work to strengthen the asset transfer process and further empower communities.

Community Rights to Buy have made a significant contribution to our aim of increasing community ownership, alongside other routes into community ownership, such as those mentioned above. The National Performance Indicator for Community Ownership has risen steadily from 155 in 2003, to 754 in 2023. We know that the volume of applications has declined since 2017, and we have been told by community groups and other stakeholders that the process can seem complicated and burdensome. This is why I announced a Review last year to consider what improvements could be made to strengthen the contribution the Rights make to delivering our community ownership aims.

Following consultation with a number of community bodies who have been through this process and other relevant organisations, we have identified a number of potential legislative changes to Community Rights to Buy on which we are seeking your views. We want to ensure that we make the right changes to enable community ownership. These potential changes form the basis for the questions set out in this consultation, and I hope that you are encouraged to contribute to ensure that Community Right to Buy remains a key tool in our aim to increase community ownership over the coming years. Our discussions have also identified some non-legislative ways to improve guidance and processes that we intend to take forward in parallel. These are detailed for information at the end of this consultation document.

**Mairi Gougeon, MSP**

Cabinet Secretary for Rural Affairs, Land Reform and Islands

## **2. Consultation Purpose and Process**

### **2.1 What is the consultation about and who is it for?**

This consultation concerns improvements to ensure that Community Rights to Buy (CRtB) make as significant a contribution as possible to our aim of increasing community ownership of land and assets. We want communities across Scotland to be able to access the rights to buy that have been brought in by successive Scottish Governments, and we want the right to buy process to be as straightforward and user friendly as possible. That ambition applies to everyone who has cause to interact with the process, whether they be a community group, owner of assets, interested members of the public or legal professionals.

Scottish Government committed to a public consultation on Community Rights to Buy in the [Programme for Government 2024 to 2025](#). Through this consultation, the Scottish Government wants to understand how these rights can best be improved to facilitate community ownership.

The consultation document examines options for improvement across various stages of the CRtB processes and asks consultees for their opinion on these.

The consultation is open to all members of the public. We are particularly keen to hear from those who have interacted with the rights in the past, whether as a seller, buyer, practitioner or interested party.

### **2.2 The consultation process**

The consultation will run for 12 weeks and will remain open for responses until 5 October 2025.

To respond, please use the Scottish Government's consultation hub Citizen Space, which can be accessed online [Community right to buy: review](#)

We appreciate this is a detailed consultation and you may not be able to complete it in one sitting. You can save and return to your responses while the consultation is still open. We would stress that there is no requirement to complete every question in the consultation. You may choose to respond only to the questions or sections you have an interest in. However, please ensure that your consultation responses are submitted before the closing date on 5 October 2025.

If you are unable to or choose not to respond using our consultation hub, please complete the Respondent Information Form included in this document and send your responses and consultation questions to [keepingthepromiseconsultations@gov.scot](mailto:keepingthepromiseconsultations@gov.scot)

### **2.3 Engagement Sessions**

Details on the engagement events being held will be shared later.

## **2.4 Impact Assessment**

A Data Protection Impact Assessment has been carried out as part of the preparation of this consultation document and will be kept under review as it progresses. A key aspect of this will be to review the data that is gathered as part of the consultation process and to delete it once it is considered to be no longer required for the purposes of the review. This is currently expected to be around 1 year after the completion of the review.

### **2.4.1 Special category data**

The consultation does not request any Special Category Data. However, it is possible that Special Category Data (e.g. sensitive personal data such as political opinions) may be volunteered as part of your response to the consultation. We ask that all respondents take care not to include any sensitive personal data in their responses as to do so may mean that your response is rejected.

### **3. Review of Community Rights to Buy**

#### **3.1 Review Process**

In March 2024, during a visit to the Heart of Newhaven community group in Edinburgh, the Cabinet Secretary for Rural Affairs, Land Reform and Islands, Mairi Gougeon, announced that the Scottish Government would undertake a review of all the Community Rights to Buy. The review began in July 2024 and is being conducted in four phases:

##### **3.1.1 Phase 1**

The initial phase gathered evidence and views on the improvements we could make to Community Rights to Buy through informal discussions and evidence collection with stakeholders and community groups, to get their views on the current rights. We also issued a general request for evidence of issues and improvement, to allow anyone to contribute. We asked what works, what doesn't, does anything need to be added, simplified, or removed?

This phase was completed in September 2024.

##### **3.1.2 Phase 2**

The next phase collated and analysed the feedback from these discussions, identifying broad themes. This allowed us to develop improvement proposals which consider processes, guidance, and legislative changes across all the rights in the round and as they relate to one another. We shared our proposals with Ministers before consulting on them.

This phase was completed in May 2025.

##### **3.1.3 Phase 3**

This is the current phase during which we are consulting on our proposals. This phase will also include further stakeholder engagement and discussions.

It is due to complete in October 2025.

##### **3.1.4 Phase 4**

In the final phase we will analyse the consultation responses. This will result in a final set of proposals for the consideration of Scottish Ministers by December 2025.

## **3.2 The Existing Context for Community Rights to Buy**

The Land Reform (Scotland) Act 2003 introduced two rights to buy. The Act introduced Part 2 - Community Right to Buy, which allows compliant community groups (by which we mean groups who have received notification from Scottish Ministers that they meet the requirements of the legislation) to apply for a right to register an interest in assets that they felt could contribute to the community's well-being and future prosperity. If an application is successful, and the owner chooses to sell at a later date, the community group is given the first opportunity to purchase those assets, at market value.

It also introduced the Crofting Community Right to Buy (Part 3), which is a compulsory purchase right, meaning that crofting communities can apply to Scottish Government to require an owner to sell to the community, at market value, whether or not the owner wishes to. Whilst this right has never been used to its conclusion, it has been a key aspect in several successful crofting community buy outs.

The Community Empowerment (Scotland) Act 2015 amended these rights in several ways, not least opening them up to the whole of Scotland, where they had previously been limited to rural areas.

It also introduced a new compulsory purchase right: the Community Right to Buy Abandoned, Neglected or Detrimental Land (known as 'Part 3A'). This gives communities the right to apply to Scottish Government to require an owner to sell land at market value, where they can demonstrate that the owner has allowed the land to deteriorate to such a state that it is causing harm to the environmental wellbeing of the community.

The 2015 Act also introduced Asset Transfer Requests, offering community groups another opportunity to acquire assets owned by public bodies.

Most recently the Land Reform (Scotland) Act 2016 introduced a further compulsory purchase right, the Right to Buy land to Further Sustainable Development, if communities can demonstrate that they could use assets in a much more sustainable and beneficial way than they are currently being used.

All four of these rights (excluding the Asset Transfer provisions) are administered by the Scottish Government's Community Land Team. The team provide guidance to groups that want to apply for any of the rights, from the start of the process where groups are seeking to become compliant community bodies to be eligible to use the rights, through to assessing applications and making recommendations to Scottish Ministers on whether they should approve an application.

Guidance on all of the rights are available on the Scottish Government's web pages ([Community Rights to Buy](#)).

## **4. Potential improvements to Community Right to Buy**

We set out below a list of potential improvements and associated consultation questions.

### **4.1 Combining the existing rights to buy**

There are currently four separate rights to buy that community groups can access, depending on the type of land, the condition of that land, and whether it is a compulsory purchase or not. It is not always clear which of these four rights is the best option for a community group, and the procedural requirements for each are not identical.

In the interests of simplifying the right to buy process for applicants we are considering whether the four rights should be merged into two, one compulsory, and one non-compulsory. If we did this, we would ensure that the specific rights in the Crofting Community Right to Buy, which protect other rights afforded to crofters, are protected in the same way as at present.

At the moment, the three compulsory rights require different levels of information from the applicant community group, which reflects the differing level of “interference” in the owner’s legal rights.

Under the Crofting Community Right to Buy, amongst other things it is required:

- that it is in the public interest that the right to buy be exercised
- that the exercise of the right is compatible with furthering the achievement of sustainable development

The Community Right to Buy Abandoned, Neglected or Detrimental Land requires, amongst other things:

- that it is in the public interest that the right to buy be exercised
- that the exercise of the right is compatible with furthering the achievement of sustainable development
- that the achievement of sustainable development in relation to the land would be unlikely to be furthered by the owner of the land continuing to be its owner
- that the exercise by the community body of this right to buy is compatible with removing, or substantially removing, the harm to the environmental wellbeing of the relevant community,
- that the community body has, before the application is submitted, made a request to
  - a relevant regulator (if any), or
  - where there is more than one relevant regulator, to all such regulators, to take action in relation to the land in exercise of its (or their) relevant regulatory functions that could, or might reasonably be expected to, remedy or mitigate the harm, and
- regardless of whether or not a relevant regulator is taking, or has taken, action in exercise of its relevant regulatory functions in relation to the land) that the harm is unlikely to be removed, or substantially removed, by the owner of the land continuing to be its owner.

These four additional requirements are because this right to buy is about addressing issues with the condition of the land, that are not being addressed by the owner—but which potentially could be.

The Right to Buy Land to Further Sustainable Development (Part 5) requires, amongst other things:

- that it is in the public interest that the right to buy be exercised
- that the exercise of the right is compatible with furthering the achievement of sustainable development
- that the transfer of land
  - is likely to result in significant benefit to the relevant community to which the application relates, and
  - is the only practicable, or the most practicable, way of achieving that significant benefit, and
- that not granting consent to the transfer of land is likely to result in harm to that community.

These two additional requirements reflect the fact that this compulsory right is not about the condition of the land, but about the benefits that the transfer of the land could bring, balanced with the harm that could be caused if it is not.

If these three compulsory rights are combined, a consolidated set of requirements for the merged right will need to be proportionate to the full range of potential interference in the owner's rights. In addition, any protection of crofter's rights currently in Part 3 would be retained. For example, in the other compulsory rights, there is a ballot of the community to determine if they are in favour of the application. Under Part 3, not only do the community have to be in favour, but the majority of crofters in the community also have to be in favour.

1. Do you think that the three existing compulsory rights should be merged? If so, given that each of the existing ones provide a different level of rights to communities, in what way should they be merged?
2. Should the newly merged compulsory rights be based on the condition of the land or on the owner's use of the land? For example, the existing Part 3A rights are based on the condition of the land, whereas Part 5 rights are based on how it is being used

## **4.2 Community Body Structures**

There are several requirements that community groups must meet, before being eligible ('compliant') to submit an application under any of the community rights to buy, including:

- They must define a geographic community
- They must have no fewer than 10 members
- Three quarters (75%) of the members must be resident in the community and eligible to vote in a local election in the area. These are known as Ordinary Members
- Those Ordinary Members must be in control of the company

These requirements were introduced to ensure that the community body is controlled by those who live in the area, and not those from elsewhere who might seek to influence what is done with the assets. That policy objective has not changed, but some community groups have struggled to meet the 75% Ordinary Member threshold. Scottish Government is therefore proposing that the threshold be lowered to anything over 50%

3. Do you support the Scottish Government recommendation that the residence and voting eligibility requirement is reduced to being anything over 50% of the community? What ratio of ordinary members should be required of a community body to ensure that control of community-owned assets remains with local members of the community?

The rights require that a minimum of 10% of the ordinary members of a community group are in attendance at general meetings of community groups, to ensure a representative local voice in decision making. Scottish Government's policy objective remains unchanged, but we are considering whether 10% is sufficient to ensure this objective

4. Should the ratio of members required to attend be amended from the current 10%? If so, what proportion do you think would still ensure that the local community is fairly represented at general meetings of the company?

### **4.3 Petitions and Ballots**

Several stages of the right to buy process require evidence of community support, which is essential for a community project to succeed. For the non-compulsory registration right (Part 2), the evidence required is in the form of a petition. For the compulsory rights, or when the non-compulsory right is triggered, the evidence required takes the form of a ballot of the whole community.

Currently, for timeous applications, a petition is required to show that at least 10% of the members of the community are in favour of the application for a right to buy. For late applications, legislation requires that a 'significantly greater' proportion of members in favour is required (which is currently set in practice at 15%).

A ballot requires that 50% of the community register a vote, and that 50% of those votes registered are in favour. In essence, this requires a demonstration that 25% of the community are in favour of acquiring the asset.

We have received feedback that these voting thresholds can be difficult for community groups to provide and should be reduced. It is critical that applications are supported by the community, but we are considering whether any of these thresholds could be reduced while still demonstrating sufficient community support.

- 5a. Could some of these levels of community support and turnout required be reduced while still providing sufficient evidence that the proposals have community support? If so, which ones?

5b. Should the demonstration of support in a ballot be solely based on the percentage of the community in support (i.e. with no separate minimum turnout requirement)—so for example a 25% threshold could be met by a 50% turnout and 50% support—or a 25% turnout and 100% support?

5c. If a ballot were based solely on the percentage of community support, with no minimum turnout, should the percentage of those against the proposals be considered, instead of just those in favour?

#### **4.4 Late Applications**

Currently, a community right to buy application that is received after an owner has taken steps to transfer the asset is considered to be a late application. At the moment, these steps are not defined but are left to the owner to state what they are and when they were taken. Scottish Ministers will then decide whether or not they are relevant steps to transfer. Late applications cannot be accepted if missives have already been signed. For late applications, community groups are expected to provide evidence that they have undertaken relevant work or steps towards a right to buy application prior to the owner taking steps to transfer ownership of the asset.

Once a late application is received, the owner must suspend all transfer actions until Scottish Ministers have decided on the application. If the application is approved, the owner must sell to the community body, and if it is rejected, they can continue with the original transfer.

At no point is this a compulsory right to buy, since at any time the owner may indicate that they no longer wish to sell the asset, even if the right to buy application is approved. In that case, the registration of a right to buy remains (for 5 years). Should the owner sell in the future, it would be triggered as a timeous application.

Up to 1 April 2025, of the 268 applications received since 2003, 62 of these have been late applications. We have approved 26 of those late applications. In the first five years after 2003, we received 106 applications, of which 23 were late (16 of these were approved). In the last five years, we have received 24 applications, of which 3 were late (none were approved).

There are many possible reasons why the percentage of late applications, and their success rates, might have dropped over the years. Various stakeholders have, however, noted that the property market has changed significantly since 2003. Stakeholders have told us that some properties are being sold without being marketed, communities are not being informed of sales, and rights to buy have been extended into urban areas, with a very different property market, without any changes being made to the Late Application process. We are therefore considering whether the late application process should be updated to reflect market changes. The Land Reform Bill, that is currently in progress in the Scottish Parliament, is also seeking to make changes to allow communities to be informed of planned sales of land.

6. What level of community support should be required for a late application to be accepted? The legislation requires it to be “significantly greater” than the 10% required for a timeous application. In practice, this has been taken to be 15%.

7. Should late applications only be accepted from community groups that can demonstrate that they are compliant with the Right to Buy provisions, prior to the owner taking steps to transfer (and should we define what is considered to be a step to transfer)?
8. Should late applications still require a community group to demonstrate that they had taken steps towards acquiring the land before the owner has taken steps to dispose of it? Further details will be developed on what those steps should be as part of the review.
9. Should it be a requirement of a late application that a detailed business plan for the asset be included, and should we define how much detail is required?
10. If a late application is approved, should the owner be prohibited from removing the asset from sale (given that they were already in the process of selling it)?

#### **4.5 Third-Party Purchasers**

The Right to Buy Land to Further Sustainable Development includes the option for community groups to nominate a third-party purchaser to exercise the right to buy (if granted). The policy objective here was to help address the issue of communities not having the expertise to take forward a project (such as affordable housing) themselves, but which (for example) a housing association would be able to deliver on their behalf.

There is no requirement for that third-party purchaser to adhere to any type of structure, to have any form of agreement in place with the community group, nor any business case for future of the asset.

11. Should third party purchasers remain an option under the compulsory rights to buy?
12. If third party purchasers remain an option, should requirements be placed on the structure of the third party purchaser for it to be eligible, for example in line with the compliance requirements placed on community group applicants?
13. Should the third-party purchaser be required to have an agreement in place with the community body that shows the future relationship between the two and any business plan in place for the asset, as part of the application?

#### **4.6 Option Agreements**

Option agreements are legal agreements that are in place between the owner of the asset that is subject to an application under a right to buy and third-party.

If such an agreement is in place, any application under right to buy must be declined as the legal agreement cannot be interfered with. The existence of such option agreements is not a matter of public record and so is not readily known by community groups in advance of making an application.

14. Should the existence of option agreements (although not their details) be something that an asset owner must make known to community groups that have applied for a right to buy the asset?
15. Rather than automatically requiring that an application is declined, should an application for a right to buy proceed through assessment, and then, if approved, take second place to the option agreement, meaning that if the option is not taken up, then the community body right to buy will apply?
16. Should there be a limitation on the types of option agreement that cause an application to be declined? For example, should they only be relevant if not between members of the same family, or companies within the same group?

#### **4.7 Appeals**

After the Ministerial decision is taken under the rights to buy, interested parties have the right to appeal that decision in accordance with section 61 of the Land Reform (Scotland) Act 2003. Appeals are usually from the community group in the case of a rejection and usually from the asset owner in the case of an approval.

Interested parties have a period of 28 days from the date of the decision to submit such an appeal. Appeals are heard by the local Sheriff Court. Once the Sheriff has come to a decision, that decision is final.

17. Should the period allowed to submit an appeal be extended to allow both parties to make a more informed decision on whether to appeal? If so, how long should it be, given that the asset is free to be sold if the application is rejected?

#### **4.8 Registration**

Once a non-compulsory (Part 2) application has been approved, it places a prohibition on the owner for a period of five years, preventing them from transferring that asset without the right to buy being triggered and the community group given the option to purchase the asset at market value. It does not prevent the owner from renting or developing the asset. This is called a registration of interest. After 5 years, if the right to buy has not been triggered, the community must re-apply to retain their registration. It is clearly important to require re-registration to ensure that the community group is still interested and ready to act if the right to buy is triggered, but we are considering whether it would be appropriate to lengthen the period of registration, as the process can be time consuming and complex for some groups. Requiring this less often could be helpful to those groups.

18. Should the registration period be extended from the current five-year period?

#### **4.9 Any other comments**

At this point we would like to draw your attention to Annexes A and B of this document which cover issues we propose to take forward via non-legislative means or that are relatively minor, as well as issues we do not propose to take forward at present. If you would like to comment on these matters or if you feel that the review raises issues that you do not feel have been covered elsewhere in this consultation, then we invite you to comment below. Please ensure that your comments remain focussed on the review and the topic of community right to buy.

19. Do you wish to make any other comments in relation to the matters raised by this consultation and which you feel have not been covered by any of the earlier questions?

## **Annex A**

### **5. Uncontentious non-legislative and minor technical improvements to rights to buy which we propose to take forward**

#### **5.1 Guidance and Information**

1. We will set up and hold a publicly available register of compliant community bodies. This will allow anyone to see if a group exists in their area.
2. We will improve the guidance available for community groups, owners, and relevant parties, taking into account comments received during the review. We will make the guidance clearer, easier to follow, and update it as the review progresses. There are several areas that we will expand on the guidance, including (but not limited to):
  - a. Compensation claim process for owners
  - b. What is meant by 'sustainable development'
  - c. What is meant by 'the public interest test'
  - d. What 'abandoned and neglected land' refers to
  - e. For late applications, what 'relevant work' or 'reasonable work' mean, and what else we would expect to see from such an application.
  - f. What exactly is a "late application"
  - g. How much detail is needed in any business plans
  - h. The appeal processes.
3. Resources permitting, we will endeavour to increase the engagement with community groups and stakeholders, which had declined since COVID. This may involve more roadshows, attendance at community meetings and other stakeholder events.

#### **5.2 Petitions and Ballots**

4. We will no longer require community bodies to check the eligibility of residents in the community to take part in petitions or ballots that are part of the process. Checks will continue to be done by the Scottish Government's Community Land Team. This may result in a small increase in rejected applications, if our checks show insufficient levels of support, but it will remove a step that is regarded as burdensome by community groups.
5. We will extend the validity of petitions and ballots from 6 months to a year.

#### **5.3 Applications**

6. We will take account of any plans that a community group already have in place in any local place plans, if signalled as part of their application. This will avoid duplicating work for community groups, by allowing them to refer to relevant sections of the local place plan.
7. We will amend the application form to make it more user friendly and to make it clearer what is required in each section.
8. We will refine the criteria that we use to determine that a group has demonstrated a connection with the land which forms the basis for the application.

## **5.4 Compliance**

9. We will simplify the guidance on what the compliance requirements are, making it easier for groups to understand what is required.
10. We will remove the requirement for a community group to provide a map of their community and accept a definition only. The Community Land Team will check that definition for compliance and refer to the group on any issues.

## **5.5 Consistency**

11. We will amend the Right to Buy Land to Further Sustainable Development to ensure that there is an end date for a Ministerial Decision (it currently provides a date before which a decision cannot be made).
12. We will ensure consistency across the various compulsory rights to remove confusion.

## **5.6 Late Applications**

13. We will allow evidence of steps taken to negotiate a transfer of land to be a relevant consideration in a late application, rather than only steps taken by the community group to submit an application. This means that community groups who are focussed on negotiating with an owner are not disadvantaged due to negotiations breaking down.
14. Amend timescales for a late application to provide a more realistic expectation of the process required.

## **Annex B**

### **6. Suggestions that we do not consider suitable for consultation**

A number of stakeholders have made suggestions that we will not be taking forward as part of this review. The reasons for this are set out below. While these issues will not be taken forward in the consultation, they will each be addressed in the final review report.

#### **6.1 Suggestions not to be taken forward**

1. Could Community Body resources be taken into account when submitting an application (i.e. more time allowed, or some form of assistance provided)?
2. Could grants be made available for Community Bodies to enable them to carry out the work for submitting an application?
3. Timelines of events within a community that trigger the discussion of a community right to buy application do not always fit with the timescales of the process (i.e. sudden sale means group has no time to become compliant and then submit an application)
4. Consider how Part 3A interacts with Compulsory Sales Orders.
5. Remove need to see certificate of incorporation in the application
6. Can appeals be held without need for lawyers
7. Upfront ballot costs to be paid by Ministers.
8. Better method for accepting large files that come with applications
9. Ensure timescales are more compatible between the Scottish Land Fund and Community Right to Buy. That may mean an extension of overall community right to buy timescales but needs to be balanced with ECHR rights of the landowner.
10. Treat successful Community Body applications as a resource and compensate them for their time and expertise when provided to other potential applicants
11. Increase awareness of place planning principles
12. Provide training for advisors and Local Authority officers who deal with the sale or transfer of assets.
13. Add other types of bodies to Community Asset Transfer process (e.g. Church of Scotland)
14. Remove ability to apply if an owner is unknown.
15. Allow a simplified application in the event of an unknown owner (along the lines of the King's and Lord Treasurer's Remembrancer scheme?)
16. To not allow late applications
17. If a petition has already shown community support, there should be no need for a ballot as well.
18. Allow Community Body access to full electoral register electronically
19. Only require a ballot after approval of an application, not as part of the application itself (Part 3A and Part 5).
20. Remove need for a ballot and replace with a further petition with higher approve rate required.
21. Remove requirement for new petition at re-registration stage
22. Use other source of information for an application (e.g. business plan for a Scottish Land Fund application) to avoid repetition by groups.
23. Remove requirement for a business plan

24. Allow Scottish Government officials to access full electoral register electronically to assist with checking validity of ballots and petitions
25. Do away with salmon fishing and mineral right sections
26. Either promote the option to have a mediator more or remove it.
27. Include an offer to the owner under Part 2 (in the same way as 3A and 5), as a starting point in the process.
28. Introduce a preliminary “pre-registration” phase to make the rights more accessible to groups.
29. Allow communities of interest to apply
30. Remove need for a petition at registration stage
31. Lower percentage of petition for urban areas
32. Could the time between offer and application be amended depending on whether the owner wishes to discuss with the group. If they don't, keep it shorter.
33. Remove option allowing owner to remedy a site after a Part 3A or Part 5 application is received and before a decision is made.
34. If including a simplified pre-registration stage, this should last 5 years, but full registration should be extended to 20 years
35. Don't allow late registration if within x weeks/days of disposal
36. If an application is timeous, any compensation is payable by ministers, but if it's a late application, it's payable by the Community Body.

## **6.2 Summary of reasons for not taking forward**

### **6.2.1 Government Neutrality and Impartiality**

In some cases, the Scottish Government must take care to remain neutral in application decisions (e.g. points 2 and 7).

### **6.2.2 Scope and Limitations of the Review**

Informal engagement to date has led us to focus on what we consider to be the most important issues in need of addressing or that would require a broader process that goes outside of community right to buy, thus taking resources away from the core purpose of the review. (e.g. points 6, 10-13 and 18)

### **6.2.3 Practicality and Feasibility**

Several of the above points raise concerns about practical implementation, resource constraints, or administrative burden, including unintended impacts on community groups (e.g. points 1, 28, 34 and 36).

## **Annex C**

### **7. Community Right to Buy Review Reference Group: Membership**

This consultation has been prepared with input from the Community Right to Buy Review Reference Group and the Scottish Government gratefully acknowledges the input of its members.

#### **7.1 Group members**

Michael Russell (Chair), Scottish Land Commission  
Lucy Beattie, Scottish Land Commission  
Calum MacLeod, Scottish Land Commission  
Hamish Trench, Scottish Land Commission  
Gemma Campbell, Scottish Land Commission  
Patrick Kirkham, Scottish Government  
Dave Thomson, Scottish Government  
Richard Davies, Scottish Government  
Jason Lloyd, Scottish Government  
Sandra Holmes, Highlands and Islands Enterprise  
Kirsten Logue, South of Scotland Enterprise  
Katie Alexander, Crown Estate Scotland  
Ailsa Raeburn, Community Land Scotland  
Pauline Smith, Development Trusts Association (Scotland)  
Josh Doble, Community Land Scotland  
Sarah Jane Laing, Scottish Land and Estates  
Rhianna Montgomery, National Farmers Union (Scotland)  
Malcolm Combe, University of Strathclyde  
Calum MacLeod, Harper MacLeod  
Lynn Johnstone, Registers of Scotland  
Heather Mack, Crofting Commission  
Donna Smith, Scottish Crofting Federation  
Susi Stuehlinger, Scottish Crofting Federation

## **8. Responding to this consultation**

Please respond to this consultation using the Scottish Government's consultation hub, Citizen Space. Access and respond to this consultation online at online [Community right to buy: review](#).

You can save and return to your responses while the consultation is still open. Please ensure that consultation responses are submitted before the closing date.

If you are unable to respond using our consultation hub, please complete and send the Respondent Information Form to:

Community Land Team  
Scottish Government  
Q Spur  
Saughton House  
Edinburgh  
EH11 3XD

### **8.1 Handling your response**

If you respond using the consultation hub, you will be directed to the About You page before submitting your response. Please indicate how you wish your response to be handled and, in particular, whether you are content for your response to be published. If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

If you are unable to respond via Citizen Space, please complete and return the Respondent Information Form provided alongside this document.

To find out how we handle your personal data you can view the privacy policy here: [Privacy - gov.scot \(www.gov.scot\)](#)

### **8.2 Next steps in the process**

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public at [Citizen Space](#). If you use the consultation hub to respond, you will receive a copy of your response via email.

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us. Responses will be published where we have been given permission to do so. An analysis report will also be made available.

### **8.3 Comments and complaints**

If you have any comments about how this consultation exercise has been conducted, please send them to the contact address above or email above.

### **8.4 Scottish Government consultation process**

Consultation is an essential part of the policymaking process. It gives us the opportunity to consider your opinion and expertise on a proposed area of work.

You can find all our consultations online: [Citizen Space](#). Each consultation details the issues under consideration, as well as a way for you to give us your views, either online, by email or by post.

Responses will be analysed and used as part of the decision making process, along with a range of other available information and evidence. We will publish a report of this analysis for every consultation. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.



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