

PE2056/F: Introduce legislation allowing Scottish Ministers to intervene on the hire of public land

Association for Public Service Excellence (APSE Scotland) written submission, 20 December 2024

APSE thanks the Committee for the opportunity to respond to this petition.

Following engagement with our membership, it is felt that local authorities are best placed to provide local management of the hire of public land, ensuring that sustainability and economic outcomes as well as the safety and security of all, together with full engagement from stakeholders can be managed effectively. Such decisions are subject to judicial review by the courts and therefore any disputes regarding decision making would be a matter for the court to adjudicate on should this be the case. As part of the engagement one of our member authorities highlighted... “The importance of managing this locally cannot be underestimated, as there are risks both to local authorities, and also the public, in the event of intervention. Often a group does not hold the required cover for their proposed activities and this can then impact on losses sustained which in these times of challenging budgets, could be a risk to organisations”.

APSE would therefore confirm that managing locally is the most effective way when making decisions regarding the hire of public land, due to local factors and considerations.