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# Land ownership in the United Kingdom: Trends, preferences and future challenges<sup>☆</sup>

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## ABSTRACT

The relation between population, land use and land ownership has been little explored by academic researchers, and the redistribution of land ownership has largely disappeared from political debate. This article, while recognising the fragmented and limited data available on land ownership, seeks to summarise the broad changes in land ownership during the past century, distinguishing the three main types: private, state and communal tenure, as well as freehold and leasehold tenures. After considering the effects of the spatial planning system upon land use, it addresses some critical emerging issues, such as environmental protection, risk assessment, and housing land supply, and suggests some future directions for land ownership and the role of the state.

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## Introduction

The UK is one of the most crowded countries in the European Union, and indeed the world (see Table 1). This means pressure upon land and land use, and makes it especially difficult to find land for new development. Unlike much of continental Europe, the UK has experienced little major redistribution of land ownership since the dissolution of the monasteries in the 16th century, apart from the temporary growth of state land ownership in the 20th century, some of which was reversed during the 1980s.

Lobbyists and journalists (Cahill, 2001; Norton-Taylor, 1982; Wightman, 1996) have criticised the continuing concentration of landed wealth in the UK, but the relationships between land ownership, population and land use have been little explored, while the planning system, which allocates land uses, is largely blind to matters of land ownership. This article seeks to provide an overview of the main changes and continuities in land ownership over the past century, and what future changes can be expected in the coming years. The issues to be explored include the role of the planning system in securing sufficient development land for society's needs, changes in the existing housing stock, possible greater government intervention to acquire more land, and new legal and fiscal measures.

## Data sources and limitations

Published information on land ownership is scattered among numerous data sources, which are 'seemingly designed to make comparison and analysis difficult' (Goodchild and Munton, 1984, p. 3). Apart from the Land Registries (discussed below), among government bodies the Department of Communities and Local Government (DCLG) holds datasets on housing and construction rates for England, the Statistics Authority on demographic trends, the Valuation Agency (VOA) on land prices, and the Department of Environment, Food and Rural Affairs (DEFRA) on land use change and agricultural holdings, again only for England. Important non-governmental sources include the Royal Institution of Chartered Surveyors (RICS) and the Council of Mortgage Lenders. There have been major recent advances in the technical infrastructure: global positioning satellite (GPS) systems collect and update geo-spatial data with great precision, the Ordnance Survey has digitised its entire map base, and the Gazetteer Act 1997 requires local authorities to maintain sophisticated local land databases using BS7666 (Wyatt, 1999).

Land ownership, although sometimes regarded as a continuum or spectrum, can be divided into three basic types:

- Private property, held by individuals and other legal entities. The state guarantees the right to property (under the First Protocol of the European Convention on Human Rights), but such rights may be removed by compulsory purchase, and are limited by the statutory planning system. Within the past decade the potential

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**Table 1**  
Selected country population densities (2005).

Country	Population (m)	Land area (000 sq km)	Population density (pp sq km)
UK	60.7	242.5	246
Netherlands	16.4	41.5	395
Belgium	10.4	30.5	341
Germany	82.7	357.0	232
Japan	127.4	377.9	337
Poland	38.5	312.7	123
France	60.5	551.5	110
Spain	43.0	506.0	85
World	6700	148,940	45

Source: Official statistics. Note: 1 sq km = 100 ha.

of private land tenure security for reducing global poverty has been promoted, notably by De Soto (2000), and by international agencies through the UN-Habitat Global Campaign on Secure Tenure, the Global Land Tools Network, and the Commission for Legal Empowerment of the Poor.

- State land, controlled by public bodies, which may be central, regional or local authorities, or parastatal bodies.
- A range of land rights that can be loosely categorised as communal or 'third sector' (terminologies are debated).

Land tenure is also distinguished legally as being either freehold or leasehold. The Law of Property Acts 1922–25 converted feudal land tenure into a simpler system, creating the fee simple absolute in possession (freehold), and the term of years absolute, a leasehold interest for a specified period of time.

The prime source of land ownership data in the United Kingdom is the statutory register of title, held respectively by the Land Registry (England and Wales) (LREW), the Registers of Scotland, and the Land Registers of Northern Ireland. None of these have geographically comprehensive data on land ownership (although they have that aim), since all land is not yet registered, nor do they publish aggregated data, for example on types of ownership and average sizes of land ownership parcels. Thus we do not know the exact distribution of ownership between the three main tenure types. While the LREW has been open to public inspection since 1990, it allows inquiries on individual land parcels for a fee per inquiry, making a search of the register expensive for often limited information, while local authority records e.g. the planning register have to be searched separately.

LREW (2008a) boasts of having the 'largest online *transactional* [my italics] database globally', and in 2008 recorded 4.5 million transactions, including debt and mortgage charges secured against property, and 11 million enquiries. In 2008 it claimed to have 21.6 million titles registered, covering some 64 percent of the total land area of England and Wales. It estimates that a million titles are yet to be registered, mostly large private estates, and, with compulsory legal 'triggers' for first registration introduced by the Land Registration Act 2002, expects to complete the register within 10 years.

## Historical trends

One can identify the following trends in UK land ownership over the past century: the growth of home ownership, the survival (mainly in the countryside) of concentrated hereditary land ownership, the decline of leasehold tenure, the expansion (and then contraction) of state land ownership, and the growth of legal forms of communal ownership.

### Home ownership

The biggest change in UK land ownership in the 20th century was the growth of home ownership, mostly of separate dwellings

on small land parcels of less than 0.1 ha. The largest single category of registered land-owners are private home-owners, representing perhaps two-thirds of the registered land titles (although the statistics are complicated by multi-storey ownerships, buy-to-let property and other factors). Owner-occupiers increased their share of the housing stock in England and Wales from 10 percent in 1914 to 71 percent in 2000 (Social Trends, 2000). Councils controlled a third of the housing stock in the 1970s, but right-to-buy legislation by the Thatcher Government resulted in 1.6 million homes switching from council to home ownership in 1980–94 (Balchin and Rhoden, 1998, p. 69).

During the 20th century the total dwelling stock grew by some three times, from 7 million to 20 million. Four million houses, 2.9 million of them private, were built in the 20 years between the two World Wars (Saunders, 1990, p. 26). This growth was accompanied by a fall in average household size from 4.6 persons-per-household in 1901 to 2.4 a century later (England and Wales). That fall reflected smaller family sizes, a contraction in the active period of child-bearing, and also the decline of non-family household members, such as resident domestic servants and lodgers (Balchin and Rhoden, 1998, p. 70).

This growth in the housing stock has been accompanied by a trend to smaller homes. The average floorspace of a new dwelling in England and Wales now the lowest in Europe at 76 sq m (compared with 92 in Japan and 115 in the Netherlands, countries with higher population pressures). For all dwellings (new and existing) the figure was 85 sq m compared with 98 in the Netherlands (Evans and Hartwich, 2005). British homes are fitting more rooms into the same space, and the older housing survives because it is bigger and more adaptable (Bartlett, 2002). The density of new housing is also rising, and in 2007 was 44 dwellings per hectare, compared with the garden city planners' ideal a century earlier of 'twelve to the acre,' which equals 30 per ha (Land Use Change, 2009). Flats, maisonettes and apartments have a growing share of the housing stock in England (lower in Wales); it is currently about a fifth, up from 7 percent in 1964 when it was mostly council-owned (DCLG Statistics).

### Survival of large private land ownership

Through the 19th and into the 20th century the 'land question' (basically feudal tenure and the concentration of landed wealth) was a major political issue, contributing to the Liberal election landslide of 1906. When a comprehensive survey of land ownership was undertaken in 1873, 7000 individuals were found to own some 80 percent of the land area of Britain. After the First World War, however, land became a 'forgotten controversy' (Packer, 2001), following the rise in home ownership, the break-up of many large estates, state provision of housing and small-holdings, and the land law reforms of 1922–25.

At the beginning of the 21st century, notwithstanding the growth of home ownership, landed wealth is still concentrated

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