



# BEFS CONSULTATION RESPONSE: ENVIRONMENTAL STANDARDS SCOTLAND UPDATED STRATEGY 2026-2031

Built Environment Forum Scotland (BEFS) is an umbrella body for organisations working in the built environment in Scotland. Drawing on extensive expertise in a membership-led forum, BEFS informs, debates and advocates on the strategic issues, opportunities and challenges facing Scotland's existing built environment.

Further to our August 2025 response to the 2026-31 Draft Strategy by Environmental Standards Scotland (linked below), this BEFS response covers one question in the [consultation on the updated Draft Strategy](#).

Other relevant consultation responses from BEFS can be seen below, as many issues overlap and demand associative consideration:

- [Environment, Natural Resources & Agriculture Research Strategy \(Oct 2025\)](#)
- [Supporting Scotland's Transition - Land use and Agriculture \(Oct 2025\)](#)
- [Draft Environment Strategy \(Oct 2025\)](#)
- [Climate Change Plan Scrutiny \(Sep 2025\)](#)
- [Environmental Standards Scotland Draft Strategy 2026-2031 \(Aug 2025\)](#)
- [Strategic Guidance on Climate Change Duties for Public Bodies \(May 2025\)](#)

## 5. On a scale of 'strongly disagree 'to 'strongly agree', to what extent do you agree with Environmental Standards Scotland's approach to determining whether to issue a compliance notice or improvement report?

Neither Disagree or Agree. In BEFS response to the first iteration of the Draft Strategy, we asked for clarity on how Environmental Standards Scotland intend to use their statutory powers to handle an environmental concern related to the interface between the existing built environment and the natural environment.

BEFS acknowledges Environmental Standards Scotland's intention for the new Draft Strategy to work in tandem with emerging legislation and current national policy, such as the Climate Change Plan, Circular Economy Plan, and targets relating to

biodiversity. BEFS would still like to understand more about how the agency's statutory powers will link to the wider policy landscape in practice.

An example concern is the issue of vacant and derelict land, where neglect and abandonment poses a risk to public safety, or causes detrimental effect or harm to the environment and/or adjacent land. Part 3A of the Land Reform (Scotland) Act 2003, introduced by the Community Empowerment (Scotland) Act 2015, does not fully define 'abandonment' or 'neglect'.

This leaves the burden of proof on community groups, creating problems that BEFS Working Group Member Development Trusts Association Scotland has been active in raising awareness of.

As the [2018 Guidance Paper for Community Right to Buy Abandoned, Neglected or Detrimental Land](#) states, applications:

*“...must include why they consider that the land subject to the application is wholly or mainly abandoned or neglected... [and] should give details as to why they are of the view that the land is abandoned or neglected.”*

The built environment in all life-cycle stages, from occupation and repair cycles through to construction waste, is a significant factor in natural environmental health. BEFS would therefore like to see the Draft Strategy clearly and appropriately link the built environment to Environmental Standards Scotland's mechanisms and statutory powers.

Clarification could help community groups and other stakeholder organisations receive added support to achieve productive reuse of vacant and derelict land, an important Scottish Government policy objective promoted through the Fourth National Planning Framework, Vacant and Derelict Land Fund and Land Reform (Scotland) Act.

Improved reuse rates of vacant built environment assets in Scotland's cities, towns, villages and rural areas is also a key policy ask of the [2026 BEFS Manifesto for the Built Environment](#).

There are compelling reasons for Environmental Standards Scotland to contribute to a culture shift and mainstreaming of a national understanding that our natural and built assets form a single environmental system that delivers cross-cutting benefits for Scotland's people and places.

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*BEFS responses to a number of consultations in relation to the Built Environment can be found at: <https://www.befs.org.uk/resources/consultations/>*

## **RESPONDENT INFORMATION**

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Responding on behalf of an Organisation - BEFS (Built Environment Forum Scotland)

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The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference: Publish response with name

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

YES

I confirm that I have read the privacy policy and consent to the data I provide being used as set out in the policy. I CONSENT

Date of submission: 8 January 2026



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