



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Minutes of the meeting of the Scottish Land Commissioners held on Tuesday 5th March 2019, James Hutton Institute, Aberdeen.

Attendees:

Andrew Thin (Chair), Lorne MacLeod, Megan MacInnes, Dr Sally Reynolds, David Adams (Land Commissioners) Shona Glenn, Posy MacRae, Katherine Pollard, James MacKessack-Leitch, Kirsty Tait, Helen Barton, Hamish Trench, Sarah Allen, Caron Munro (Scottish Land Commission)

Apologies: Apologies were received from Bob McIntosh, Tenant Farming Commissioner

There were no declarations of interest declared.

1. Minutes of previous meeting 5th February 2019

The Minutes were agreed as a true and accurate record of the discussion.

It was agreed that action 05021903 is being held as it will be discussed at the next quarterly business meeting.

The Chair advised that the Commission has adequate systems in place in regards to action 05021904 but will keep this under consideration.

It was advised that action 05021907 will be completed. Action 05021908 will be discussed at the next quarterly business meeting. Hamish advised that he is currently arranging a date for a meeting following action 05021909.

Action 05031901	Add agenda item on actions 05021903 and 05021908 to the next quarterly business meeting.
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Sarah advised that she recently attended the STFA AGM and gave a presentation to attendees on the work of the Tenant Farming Commissioner (TFC) and the Scottish Land Commission. She advised that the STFA are supportive of the work being carried out by the TFC.

2. 2019/20 Annual Business Plan

Hamish provided the Commissioners with an overview of the Business Plan, advising that it has been prepared following the discussion at the Commissioners' Meeting in December 2018.

He advised that the budget is currently split with approximately two thirds on staffing and operating costs and one third on flexible business costs. The Commission is currently recruiting for two new posts to help with the staffing constraints in delivering the business plan.

The Commission intends to publish the Annual Business Plan in April with an updated Programme of Work showing a representation of the direction of travel for the Commission.

Land for Housing and Development

It was advised that the Vacant and Derelict Land collaboration is being expanded with Scottish Enterprise and Scottish Futures Trust. Hamish advised that following discussions with Scottish Government, this work will increasingly connect to the wider context of infrastructure investment and the National Investment Bank.

Shona advised that the Vacant and Derelict Land work is being carried out in three stages with the first scoping stage coming to an end soon. It is envisaged that the Commission's role is bringing together the appropriate organisations to enable them to change the system in the work on Vacant and Derelict Land. Hamish advised that in this area and across all workstreams the Commission will also be working to build relationships with local authorities.

Shona advised that the work relating to the Land Assembly workstream will be bringing together the work that has been carried out on Land Value Capture and the work that will be done over the next year looking into land banking.

Commissioners agreed that the Commission should continue to take a lead role in the vacant and derelict land work, particularly in stimulating changes in approach and making connections between sectors and organisations to deliver systemic change.

It was suggested that advice surrounding land assembly should be proposing legislative changes as well as practice changes. Shona advised that there is currently not enough evidence to propose legislative changes, but that this would form part of the consideration over the coming year. It was agreed that the Commission may need to assess the need for further legislative change around land assembly.

Commissioners asked that the connections to supporting rural housing and repopulation are signalled more clearly in the plan.

Hamish advised that the Commission will be providing advice to the Government by the end of March in regard to the land value capture amendment to the Planning Bill.

Modernising Land Ownership

It was advised that this workstream will focus on taking forward our existing recommendations on both community ownership and scale and concentration of ownership, and will require a significant level of staff resource. Commissioners asked that the plan signal the intention to maintain momentum in addressing concentration of ownership. It was advised that the Commission will continue the work on Common

Good Land and charitable ownership, and Commissioners agreed the output for this should be strengthened to reference potential changes as well as guidance.

Hamish advised that the Commission will support the Community Ownership Leadership Group, but the Scottish Government will lead on this as they will be responsible for implementing any changes.

It was agreed that Hamish will consider whether the outputs can be strengthened.

Land Use Decision Making

It was advised that the Good Practice Manager will take forward this area of work when they start their post in the Commission.

Hamish advised that the Commission are looking to take forward a tax review which will integrate Land Value Taxation. It was agreed that the outputs are combined within the plan to show that the proposed expert group will cover both land value tax and the wider tax review.

The proposed work supporting pilots on place-based decision making was queried and it was confirmed that this will focus on the recommendation the Commission make on participation in decision making following the scale and concentration evidence, and that potential places and partners are still to be determined.

Agricultural Holdings

Sarah advised that the Commission is currently developing a Casework Management System in line with the new IT and is also looking to continue to develop the mediation service. The Commission will also continue with the work on joint ventures and the land matching service.

It was advised that under legislation the TFC function is due to be reviewed by March 2020. This review will be carried out by Ministers and led by Scottish Government.

Sarah advised that she is working with Posy in order to expand the reach of the communications about the TFC and reach those who are currently not aware of the function.

Communications and Engagement

Posy advised that she is working closely with the policy team to develop communications for the organisation, particularly in relation to communications campaigns supporting the priorities. She also advised there will be a particular emphasis this year on a more planned approach to stakeholder engagement.

Commissioners asked that the plan signals clearly the commitment to continue to operate as an open and accountable as a public body.

Organisational Development

Hamish advised that the Commission will continue to develop systems that work for the organisation including the change in IT provider.

It was advised that performance monitoring will be developed with the work currently being carried out by Hall Aitken and will be included in the quarterly reviews of the business plan.

Budget

Commissioners agreed the overall budget allocations. Shona advised that the budget for research on impacts and consequences within the Land for Housing and Development workstream is likely to be split between three projects.

Other

It was agreed that Hamish should consider how to show that the Commission recognises the significance of the Government's priority for Town Centre regeneration within our business plan.

The Commissioners agreed the 2019/20 Business Plan. Hamish will send the final plan to the Government for approval before publishing in April.

3. Communications Strategy 2019/20

Posy advised that there will be a focus on stakeholder engagement and developing relationships with local authorities at all levels. The Commission will also develop on current campaigns and aim to expand the reach of TFC awareness.

It was advised that the Commission is working to develop a Gaelic Language Plan which is due to be in place by August 2020. It was suggested that the Commission could work with BBC to make use of the new BBC Scotland TV channel that was recently set up.

Commissioners asked that the Commission considers how best to target those who are not aware of the Land Commission or how the work of the Land Commission is relevant to them making use of blogs, regional and local newspapers as a means of communicating this.

It was requested that Posy recirculates the Commission's media protocol to Commissioners.

Action 05031902	Posy to recirculate the Media Protocol to the Commissioners
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Posy advised that the contract with Pagoda PR was reviewed in December 2018 in regard to how they are meeting Key Performance Indicators and will be reviewed again in December 2019. It was advised that the Commission hope to increase the internal communications resource over the next year which will help reduce reliance on external support. It was agreed that the Commission will continue to review the use of contractors.

It was advised that Kathie and James are currently developing a podcast series for the Commission.

4. Community Engagement Progress Report

Helen and Kirsty provided the Commissioners with an overview of the publications and work the Commission has done on Community Engagement.

It was noted by Commissioners that there has been excellent progress on the protocol with a structured and well-thought through approach which they would encourage the team to continue.

It was advised that promotion of the toolkits has been well received and the Community Engagement Advisors have been invited to run workshops on the protocols with members of Scottish Land and Estates.

It was advised that the Commission will be holding a roundtable event in collaboration with SURF on 2nd April on community engagement and urban land.

The Commission will be issuing a baseline survey shortly for those who own and manage land to monitor awareness of guidance and protocols as well as the challenges and benefits of engaging with communities.

The community engagement casework has been increasing with some self-referrals and internal referrals.

The Commissioners considered how best the Commission should target limited resources to support community engagement. Commissioners agreed that the primary focus should be on normalising the expectations of good practice and supporting widespread implementation, particularly by working through sector and representative bodies. It was agreed this should include testing the application of the protocol and guidance in challenging cases, so that we are in a position to advise whether further action of different approaches are needed when the Government's Guidance is reviewed in two years time.

Commissioners also asked that further consideration be given to the baseline and monitoring of community views on the effectiveness of engagement, as this will be a key element of reporting on progress in due course.

5. Any Other Business

LRRS Protocols

Sarah advised that the Commission has received a good level of support from stakeholders and the Government. She advised that at the recent LRRS Protocol meeting it was felt it would be beneficial for the Commission to produce protocols on a number of topical issues, framing these in relation to the land rights and responsibilities statement. Scottish Government felt that there are opportunities for protocols to provide clarity of expectations to a range of sectors including public bodies.

Sarah advised that the Good Practice Manager will take forward the work on the LRRS protocols when they are in post.

It was agreed that the Commissioners will discuss the LRRS Protocols further at a forthcoming meeting.

Action 05031903	LRRS Protocols to be added to the agenda for a forthcoming Commissioners meeting
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Scale and Concentration of Land Ownership Report

Posy advised that the Commission is coordinating timings for publication of the report with Scottish Government. The publication is currently planned for the last week in March but timing may change. It was requested that the Commissioners make use of their contacts to help publicise the report when published. The Commissioners will receive the communications plan, as well as a detailed media and communications brief prior to the publication of the report.

Commissioners' IT

It was advised that the reasoning behind the Commissioners requiring Commission IT devices and email addresses is cyber security as the Scottish Government have set out a requirement for public bodies to meet certain criteria in terms of cyber security.

Posy advised that the Commission has looked at the option of Commissioners accessing their emails through a secure web access on their own device and, together with a Code of Conduct, this offers a practical approach that addresses the risks.

It was agreed that all Commissioners will receive a device of their choice and the Commission will ensure to alert Commissioners to any urgent correspondence as emails may not be checked regularly.

Action 05031904	Commissioners to let Posy know which device they would prefer.
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Next Meeting

Hamish advised that the next meeting will be held in Edinburgh on 2nd April. It is hoped that the meeting will be with Scottish Futures Trust to discuss Vacant and Derelict Land but Hamish will confirm this.

On the evening of 2nd April there will be a Public Meeting in Edinburgh and the Commission will be holding a roundtable event in connection with SURF on communities and urban land.

Date of Next Meeting: 2nd April 2019

**Scottish Land Commission
March 2019**