



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Minutes of the meeting of the Scottish Land Commissioners held on Tuesday 3rd March, Albert Halls, Stirling

Commissioners Present: Andrew Thin (Chair), Sally Reynolds, Lorne MacLeod, Megan MacInnes, David Adams (Land Commissioners), Bob McIntosh (Tenant Farming Commissioner)

In Attendance: Sarah Allen, Posy MacRae, Shona Glenn (Scottish Land Commission)

Apologies: Hamish Trench gave his apologies for the meeting.

There were no declarations of interest.

1. Minutes of previous meeting 4th February 2020

The Commissioners agreed the minute of the previous meeting as an accurate record of the discussion subject to the following amendments:

- At the top of page three amend the first sentence to read 'The Commissioners queried if the Commission had'.
- Third line on page six delete 'is' and change sentence to 'ownership but shows that both are important'.
- Change the wording in Action 20020406 on page six to 'Wording in the second sentence of the Community Empowerment section'.

The Commissioners noted their thanks to staff for the excellent minutes demonstrating the balance of challenge and scrutiny from the Board.

Actions 20020401, 20020403, 20020404, 20020405, 20020406 and 20020407 can be discharged. Action 20020402 is to be addressed at the next Commissioners meeting.

2. Annual Business Plan and 2020/21 Budget

Posy advised Commissioners that the Commission's proposed budget for 2020/21 has been confirmed by Scottish Government but awaiting the Grant in Aid confirmation. The draft business plan has been developed to the budget of £1.526m. The budget has been overprogrammed by 8% in the business plan, which was discussed at the last meeting of the Audit and Risk Committee. It was advised that this would be kept under review and the risk of overspend managed through the year to align spending with the budget. The budget has an increase in staff resource to increase delivery

capacity whilst still retaining significant spend on research and outputs. Commissioners were asked to consider and agree the business plan and budget.

Commissioners queried the flexibility to manage the overspend with an increase in staff costs and over programming and suggested quarterly profiling presented to the Board. Management team were asked to consider this.

Action 20030301	Management team to consider reprofiling on a quarterly basis to coincide with the board's quarterly progress meetings.
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Commissioners requested a baseline figure for the cost for the number of staff on permanent contracts. Posy agreed to provide this.

Action 20030302	Posy to send Commissioners the baseline costs for staff on permanent contracts.
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Commissioners challenged the progress of delivery on tax and fiscal work and saw this as an opportunity for the Commission to lead the debate. Shona advised that a scoping report, to be finalised in July, will provide the clarity and direction needed. Commissioners also advised staff to be aware of the impact of the 2021 Scottish Parliamentary Elections and the pre-election period in forward planning outputs.

Commissioners requested an update on the progress with the Regional Land Use Partnerships.

Action 20030303	Hamish to provide an update to Commissioners on progress of the Regional Land Use Partnerships either via email or as an agenda item at the next meeting.
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It was suggested that the Commission produce a summary of the learnings and recommendations it has made over the last three years, in advance of publishing the next strategic plan. Posy is to consider the best approach and will update the Board at the next meeting.

Action 20030304	Posy to look at the best way of publishing the Commission's learnings and recommendations over the last three years.
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Commissioners questioned if staff costs are to be demonstrated against each workstream. Posy advised that this will be completed on page 15 of the business plan, once the Grant in Aid is confirmed.

Commissioners suggested revising the wording around the route maps to be produced in the Land Use Decision Making workstream to better reflect the information they will provide.

Action 20030305	Sarah to revise wording in section X to clarify that the route map would signpost how to access information on community organisations
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Commissioners approved the business plan subject to confirmation of the Grant in Aid and asked that their thanks were recorded for a clear and concise business plan.

3. Gaelic Language Plan 2020-24

Posy introduced the Commission’s first Gaelic Language Plan (GLP) and advised that the Commission had received official notification from Bòrd na Gàidhlig to submit a plan to the Bord for approval by August 2020. The plan must include a period of public consultation. Commissioners were asked to approve the draft plan in advance of the public consultation.

Commissioners requested a stronger link in the plan to the relationship between land, land reform, people and the Gaelic language. Including looking at research and policy opportunities for working with partners to make the link between land reform and Gaelic.

It was suggested that reference to the wording in the Land Reform (Scotland) Act around Scottish Government taking reasonable steps to ensure that one of the Commissioners is a Gaelic speaker, is to be made in the staffing section. It was also requested that Commissioners are included in any training opportunities.

Commissioners passed on their thanks to staff for drafting the Plan.

Action 20030306	Posy to make the following changes to the GLP: <ul style="list-style-type: none"> • Strengthen the link between land, people and Gaelic in the summary and foreword • Include reference to exploring opportunities with partners in linking land reform and Gaelic • Add wording to staffing section to reflect the requirements of the Land Reform Act • Include reference to Commissioners in training opportunities • Timescales to be reviewed and updated where required.
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4. Any Other Business

Tenant Farming Commissioner (TFC) Review of Functions

The Tenant Farming Commissioner updated Commissioners on the progress of the review of the TFC functions. RESAS are carrying this out for Scottish Government. Stakeholder consultations have been completed. The review is expected to be published later this month.

Land Rights and Responsibilities – Job Description and Good Practice

Commissioners discussed progress of the Good Practice Programme. Sally informed Commissioners that two protocols were to be published in the coming month on trusts and transparency. Sally is meeting with Hamish and Sarah to discuss the programme of activity for the year and ensure that land rights and responsibilities goes across all of the Commission's work. Sarah advised that the new role, which is to be advertised soon, will help to influence this.

Commissioners requested an outline of the work and key messages.

Action 20030307	Posy to send key messages of the LRR and good practice work to Commissioners.
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Sarah advised that land rights and responsibilities is a key part of legislation that holds all of the Commission's work together. There will be the opportunity for the Commission to influence the revision of the principles through evidencing the need for change. Sarah provided an update of the land rights and responsibilities self-assessment pilot. Due to limited interest in tenders, this work is now being developed in house and working with sector stakeholders such as Community Land Scotland.

Commissioners expressed concern over the speed of progress of protocols in particular and the robustness of messaging. Commissioners asked that a robust set of protocols be published and operational within this calendar year. Sarah provided assurance that this work will be prioritised and that both protocols and guidance on key LRRS topics will be published.

Commissioners indicated they are comfortable with the focus of proposed new role on land rights and responsibilities and asked that management team ensure it has a strong focus on delivery outputs.

Commissioners requested an opportunity to see and provide feedback to the protocols. There was concern that this may slow progress down. Sally and Sarah to discuss and agree the best approach.

Commissioners asked that the LRRS protocols are discussed further as an agenda item at the next board meeting.

Action 20030308	Sarah and Sally to discuss best approach to Commissioner's having sight of all protocols
Action 20030309	LRRS Protocols to be discussed at the next Commissioner's meeting.

Coronavirus Response

Commissioners asked for an update on the Commission's response to COVID-19 (coronavirus). Posy reassured Commissioners that a business continuity plan is in place, regular updates are being provided to staff and the situation is being kept under review. The board requested regular updates and for it to be discussed at the next meeting.

Action 20030310	COVID-19 response plan to be discussed at the next Commissioner's meeting.
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Date of Next Meeting: 12th May 2020

**Scottish Land Commission
March 2020**