



SCOTTISH LAND COMMISSION  
COIMISEAN FEARAINN NA H-ALBA

## **Minutes of the meeting of the Scottish Land Commissioners held on Tuesday 1<sup>st</sup> March 2022**

**Commissioners Present:** Andrew Thin (Chair), Sally Reynolds, Lorne MacLeod, and Megan MacInnes (Land Commissioners)

**In Attendance:** Hamish Trench, Posy MacRae, Caron Munro, Gemma Campbell (Scottish Land Commission)

**Apologies:** Apologies were received from Bob McIntosh (Tenant Farming Commissioner) and David Adams (Land Commissioner)

**Declarations of Interest:** There were no declarations of interest

### **1. Minutes of previous meeting 1<sup>st</sup> February 2022**

The minutes were agreed as a true and accurate reflection of the discussion and all actions have been taken forward.

#### Matters arising

Hamish provided the board with an update on the current budget position. He noted that the Commission is currently predicting a 4% underspend.

It was noted that the Commission's Gaelic Language Plan has now been signed off by Bord na Gaidhlig with positive feedback received from the Bord.

### **2. Office Relocation**

Hamish introduced the paper, noting in addition that the staff team had a discussion on this on 28<sup>th</sup> February and the practical implications of the proposed move. He noted that there is a strong appetite from staff to move away from Longman House given its limitations and staff are strongly supportive of the move to An Lochran and the opportunities for synergy with HIE as well as the more positive office environment and location.

It was queried if the costs of meeting rooms are included in the costs provided as they are per desk. Hamish noted that the proposed cost per desk for An Lochran includes costs for all provisions such as meeting rooms, reception services and IT facilities.

The available space for all staff was queried in comparison to Longman House. Hamish noted that due to changes in working pattern the Commission is currently

paying for more space than it needs and although it has sought a reduction in space and costs from Scottish Government, no such flexibility has been available. He noted the proposed basis of occupation at An Lochran would be flexible, allowing more or fewer staff to occupy desks on any one day, based on an expected average over the year.

The board confirmed strong support for proposed co-location at An Lochran, based on the significant synergy with HIE and the significant gains in workplace environment and facilities for staff.

Commissioners noted the 12-month notice period for Longman House and supported the intention to seek an earlier move by negotiation subject to best value considerations. Hamish noted the move would be subject to discussions with Scottish Government.

The Commissioners agreed the proposal.

### **3. Programme of Work**

Hamish advised the Commissioners that the proposed Programme of Work has been shared with the Sponsor Team.

It was agreed that the progress table should show the section on ownership constraints to development as ongoing rather than fully completed.

Lorne queried whether the natural capital section should say more to reflect the immediacy of issues and importance of advice on this topic. It was agreed that the Programme sets out the appropriate scope, within which the business plan shows more detail of the specific work underway and planned. It was also agreed that this workstream needs to retain flexibility so that we are providing timely and practical advice.

Hamish noted that there is significant work underway on the land market, ownership implications, responsible practice and community benefit, with a series of planned outputs starting this month. Posy noted the high level of media interest and regular requests for information and comment.

Commissioners emphasised the need for an ongoing communications programme on the natural capital workstream. It was agreed that the publication of the land market analysis is an appropriate opportunity to set out the Commission's thinking on options, informed by the evidence

It was noted that this is an ambitious Programme of Work, though inevitably it is framed by the available resources and that this should be noted in the document given the wide range of topics people may wish to see the Commission address.

The Commissioners agreed the Programme of Work, noting the requirement to lay it in Parliament.

<b>Action 22030101</b>	Programme of Work to be laid in Parliament.
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#### **4. 2022/23 Business Plan and Budget**

Hamish introduced the plan noting that it delivers on the priorities of the revised programme of work, increases staff capacity over the coming 18 months while reducing fixed costs and retaining flexibility in line with the medium term financial strategy.

Commissioners noted that they support over-programming of the budget although it was noted that this should be explained in the document so it is clear the Commission does not intend to overspend the budget.

Megan queried to what extent the Commission can bring forward business planning to allow for earlier profiling of budget in quarter 1. Hamish noted the balance between starting so early that priorities change and giving sufficient time to plan work ahead of the financial year. He confirmed that in practice, particularly within a strategic plan period, work is able to be planned and prepared across the financial years so that spend can be committed and paid within quarter 1.

Megan also raised concern that Hamish is noted as the lead person on some areas of work and asked if this would create additional pressure on his time. Hamish advised that this reflects the agreed change in management structure and is working well to date.

Sally queried how the staff wellbeing KPI will be calculated given the Commission has moved away from an annual staff survey. Posy advised that the Commission has the same question in the quarterly staff surveys so can still calculate an annual average response.

The Commissioners agreed the business plan and budget. It was noted that it is positive for the Commission to have this agreed well ahead of the start of the financial year.

#### **5. Community Wealth Building and Land**

Gemma provided the Commissioners with an overview of the progress on this area of work, expanding on the paper.

Commissioners asked whether working with a different government portfolio has had any implications. Gemma noted that engagement with the steering group including Scottish Government has been good. Hamish noted that the Ministers for Community Wealth Building is engaged with the work and participating in Land Re-Use Month. The potential of the Community Wealth bill was discussed, particularly with regard to Compulsory Sales Orders and Common Good land.

Lorne queried when the Commission's guidance on this area of work will be published. Gemma noted that it will launch on 24<sup>th</sup> March by the Minister as part of the Commission's Land Reuse month events.

Lorne also noted that it is important to highlight the private sector role in this and suggested the possible use of pilots. Gemma noted that she is still to discuss this with

Scottish Government in detail but as an early example North Ayrshire Council are opening discussions with private landowners on this. She noted the opportunity to engage Scottish Land and Estates in this going forward.

Sally suggested that it may be useful to engage further the community land owning sector on this as many will incorporate into the way they operate without necessarily knowing it.

Commissioners also noted the need to keep a clear focus and parameters for the Commission's role given limited resources, agreeing a strategic approach working through other networks is appropriate.

Commissioners agreed the need to ensure the LRRS is given sufficient emphasis and profile within this work. Hamish noted that the Commission's business plan last year included a particular emphasis on strengthening LRRS within the public sector and that community wealth building has been an effective way to do that. He noted the Commission continues to engage through our good practice programme with public bodies beyond local authorities, for example NHS, utilities, with a deliberate focus on supporting LRRS implementation.

The Commissioners are supportive of the progress of this work.

## **6. Any Other Business**

### Public Meetings

It was agreed that Megan will do the presentation at the next public meeting with Sally chairing and Andrew and James attending.

The Commissioners discussed the meetings going forward and agreed to continue to hold these online due to the higher numbers of attendees. Posy noted that feedback from attendees of online public meetings has been in support of them being held online.

### Human Rights Advisory Forum

Megan advised the Commissioners that Malcolm Combe will be invited to a future board meeting to discuss the forum's advice. She noted that the next forum meeting will include a discussion with Scottish Government on the planned bill.

### Future board meetings

Commissioners agreed to move to a hybrid approach to board meetings in line with the Commission's new ways of working and climate action plan. Most board meetings will be held in person, while ARC meetings and some board business meetings will be held online. The board will resume in person stakeholder meetings as part of the programme.

**Action 22030102**

Hamish to circulate a programme of meetings for 2022 incorporating stakeholder meetings and opportunities for board and staff time together.

Lorne noted a reduction in board visibility at events and the opportunity for more representation as in-person events start again. Posy noted that the communications team will review upcoming events and ensure a Commission presence including Commissioners. She noted that there will be some shows and game fairs running this year and Commissioners are encouraged to attend these and other events even if the organisation does not have a stand or formal presence.

**Date of Next Meeting: 3<sup>rd</sup> May 2022**

**Scottish Land Commission  
March 2022**