



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

**Commissioners Meeting
5 March 2024, An Lòchran, Inverness**

A G E N D A

Item no	Item	Paper no	Action	Lead
	Welcome/Apologies			
	Declarations of Interest			
1.	Minutes of the previous meeting	1	For agreement	Chair
2.	Commissioner Updates		For information	Commissioners
3.	Land Reform Bill		For information	Hamish Trench
4.	Audit and Risk Committee Chair report	2	For information	Lorne MacLeod
5.	24/25 Business Plan and budget <ul style="list-style-type: none">• 24/25 Business Plan• 24/25 Budget Report	3 Annex A Annex B	For agreement	Hamish Trench
6.	Land for housing – Scoping next steps	4	For agreement	David Stewart
7.	Communications – Brand identity and Website Review	5	For agreement	Scarlett Macfarlane
8.	Update on Natural Capital work and context	6	For information	Emma Cooper
9.	Freedom of Information Briefing	Verbal briefing	For information	Caron Munro
10.	Cyber Security Briefing	Verbal briefing	For information	Claire Bremner
11.	AOB <ul style="list-style-type: none">- Casework update- Human Rights Bill Scrutiny Bodies			Emma Cooper Hamish Trench



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Paper 1

Minute of the meeting of the Scottish Land Commissioners held on Tuesday 6 February 2024 at An Lóchran, Inverness.

Commissioners Present: Michael Russell (Chair), Sally Reynolds, Lorne MacLeod, Deb Roberts, Craig Mackenzie (Land Commissioners), Bob McIntosh (Tenant Farming Commissioner)

In Attendance: Hamish Trench, Emma Cooper, Scarlett Macfarlane, Claire Bremner, Caron Munro, Felicity Peall (Scottish Land Commission)

Apologies: None

Declarations of interest: Michael Russell, Deb Roberts and Craig Mackenzie confirmed that they have submitted information to the register of interests. No declarations of interest declared.

The Chair welcomed the Commissioners to the first meeting following new board appointments. He encouraged active participation in the key issues through the agenda and noted that the Board meetings are public and that all minutes are published.

1. Minutes from previous Board Meeting 5 December 2023

The minutes were agreed as a true and accurate reflection of the discussion held at the previous board meeting (5 December 2023).

Matters Arising: None

2. Commissioners Update

The Chair introduced this as a new standing agenda item providing an opportunity for all Commissioners to update on any key issues or events to be aware of. Commissioners provided updates of recent and forthcoming engagement on behalf of the Commission.

3. Quarterly Progress Report

The Board reviewed the progress report for Quarter 3, acknowledging the substantial work delivered. The board noted effective communications and progress in managing the budget towards our target year-end position. In considering the strategic risks, the board noted the risks to stakeholder relationships associated with changes in Board membership should also be considered and reflected in the risk register.

The Board sought assurance on delivery of the remaining spend for Quarter 4, noting the high volume of spend planned. Hamish confirmed that staff are focused on ensuring planned spend progresses on time in the final quarter and that the management team are keeping this under regular review. He also noted that Quarter 4 spend controls from Scottish Government mean that Government is seeking any significant underspends to be returned rather than reallocated.

4. Quarterly Casework report – Land Rights and Responsibilities – Good Practice

Emma provided an overview and introduction to the Land Rights and Responsibilities (Good Practice) casework, particularly for new members, as well as the casework report for the previous two quarters. The discussion raised questions on how best to assess the impact of our good practice work, where our limited resource should be prioritised and noted the need for this work to continue evolve, particularly in the context of the land reform bill.

5. 2024/25 Business Planning

The board emphasised the importance of prioritising our work in our business planning. The board agreed that our first priority must be to support the development of an effective land reform bill, drawing on our existing body of work to provide evidence and advice as appropriate. The board also asked that we give a higher priority in the coming year to ways our work can help meet Scotland’s housing challenge. The board noted the continued relevance of the Commission’s previous analysis and recommendations, and that our focus now should be on ways to convert this into action. The board asked for a short scoping brief to consider this further at the next meeting.

The Board also agreed the importance of retaining flexibility in our business planning for 24/25 in order that the Commission can respond effectively as the land reform bill develops. Therefore, the business plan should be careful not to over-commit at this stage.

The Board welcomed the budget settlement for 24/25 though noted continued cost pressures which over time risk reducing the available spend for research and programme spend, this to be kept under review through medium term financial planning.

Commissioners asked for an update on progress with the Crown Estate Scotland collaboration on community land acquisition, noting the need to maintain regular external communication. The potential for other bills requiring input was also flagged, for example on Community Wealth Building, charities and human rights.

Action 24020601	Short proposal on future housing work to be considered at the next meeting (Hamish)
------------------------	--

6. Staff Survey

The board agreed to hold a separate discussion to consider the staff survey results and follow-up actions.

Action 24020602	Arrange a separate meeting time to consider the staff survey (Hamish)
------------------------	--

7. Communications Update

The Board decided to temporarily pause the programme of online public meetings in order to refresh the approach. Commissioners will continue representing the Commission at a range of events. The Board also agreed to review and refresh the Commission's website, requesting a short proposal for the March meeting detailing available resources, scope, and timescale in order that this can be progressed within the 24/25 business plan.

Action 24020603	Short proposal for review of website to be considered at the next meeting (Scarlett)
------------------------	---

8. Audit and Risk Committee Membership

The Board agreed the nomination of Craig and Deb as members of the Audit and Risk Committee with immediate effect. In doing so the board noted it is not necessary at this point to co-opt an external member of the ARC, though this remains an option in future. The transitional arrangement previously agreed by the board in which Sally would join the ARC if required was agreed to be superseded.

9. New Board Member Induction

It was noted that the new Board members have received their induction packs and arrangements to attend 'On-board' training are in place. Commissioners were asked to raise any ongoing requirements for induction with Hamish, noting that induction progress will be reviewed at end of March.

10. AOB

Conference – the SLC conference event will take place on 13 June in Aviemore. The focus will be on supporting implementation of diverse land ownership and governance arrangements in practice, with examples of current and emerging practice invited as speakers. A programme will be shared with Commissioners in due course.

Board programme – the board noted the March meeting arrangements may change to align with a possible meeting with the Cabinet Secretary (since arranged separately, March meeting scheduled as planned for 5 March). The board agreed to change the June meeting to 12 June in Aviemore to align with the conference event.

The Board also agreed that two meetings later in the year's schedule should be arranged for other locations around Scotland.

Freedom of Information – the board requested a briefing on FOI procedures at the next meeting.

Action 24020604	FOI briefing to be on agenda for next meeting (Caron)
------------------------	--

The next Board meeting is scheduled for 5 March 2024 at An Lochran, Inverness.

**Scottish Land Commission
February 2024**



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Commissioners' Meeting 5 March 2024

Paper 2

Report from the Chair of the Audit and Risk Committee – Meeting held on 12 February 2024

- The Audit and Risk Committee (ARC) met on 12 February 2024 with full attendance from members, Deloitte (External Audit) and BDO (Internal Audit). This was the first meeting for new ARC members, Deb Roberts and Craig MacKenzie.
- Following recommendations made at the Scottish Land Commission board meeting on 6 February 2024, the Terms of Reference for the ARC was updated and agreed.
- Since the previous ARC meeting several staff and the Chair had attended a Cyber Resilience Training course and a discussion on the importance of Cyber security was held.
- Financial report – It was noted that considerable budget payments required to be made in Quarter 4, but, the Committee received assurances that measures were in place to ensure that forecast spend would be achieved.
- BDO presented their proposed Internal Audit Plan for 2024/25 and, following some discussion, this was agreed.
- A review of the Risk Register was undertaken and detailed risk interrogation of Risk 7. was undertaken, 'The Commissioner's work and recommendations are not seen to have impact'.

- A review was made of the recent Audit Scotland report on the Water Industry Commission for Scotland and the key findings were noted.

Lorne MacLeod, Chair, ARC, 20 February 2024



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Commissioners Meeting 5 March 2024

PAPER 3

24/25 Business Plan

Purpose:	To agree the 2024/25 business plan
Business Plan context:	24/25 Business Plan
Previous board papers:	6 February 2024, Paper 4: Business Planning
Action required:	For agreement

1. Background

In February the Board discussed the context for our business planning and key areas of focus to deliver on our Programme of Work. This paper brings the draft business plan and budget for approval.

Annex A provides the draft Business Plan; Annex B provides the draft budget.

2. Delivery priorities

The Business Plan takes as its starting point our commitments to deliver against our new Strategic Plan and updated Programme of Work published in September 2023. Within this the board has identified our priorities to be:

- Supporting development of an effective land reform bill;
- Using land reform to help address Scotland's housing challenge;
- Implementing more diverse land ownership and governance;
- Using the value in land to support community wealth building;
- Supporting practical implementation of Scotland's Land Rights and Responsibilities Statement;

We will need to retain a degree of flexibility in order to be able to give evidence and provide advice on the land reform bill as the parliamentary process progresses.

While the Land Reform Bill may identify potential changes in functions for the Commission, these would not come into effect until later years. However, work on considering the organisational implications of possible changes should begin within the 2024/25 financial year.

The plan also reflects continuity in work underway in the current year. In the second half of 2023/24 we commissioned a number of significant research contracts which continue into 24/25 and these existing commitments are incorporated into the business plan and budget.

3. Financial context

The Scottish Government budget for 2024/25 provides grant-in-aid of £1.6M to the Commission, a small increase on the budget of £1.56M in 2023/24. In a change from previous years more of the Commission's spend is committed from the start of the year, which in combination with increased staffing and operating costs means we have little flexibility for additional spend through the year.

Like most bodies the Commission faces a challenge in rising costs (including staff and Commissioner costs, operating and service procurement costs), and the need to be sufficiently flexible to adapt in an uncertain policy and financial environment.

Our medium-term financial strategy identifies the following levers to manage this:

- Staff turnover – reviewing deployment of posts as vacancies arise.
- Efficiency savings – seeking savings through shared services and as contracts are reviewed;
- Partnership & collaboration – seeking greater value through joint working with others where appropriate.

We will need to make full use of these levers through the year in order to seek savings. Over 2022 and 2023 we increased staffing capacity to deliver on our priorities, acknowledging that this would result in less available spend for externally commissioned work. While this is delivering effectively, we need to keep this balance of spend under review and seek ways to create more flexibility in medium term planning.

4. Staffing

Our planned staffing for 2024/25 is as follows:

- Total FTE 17.9 (April 23: 17.9)
- Total headcount: 19
- Of which 16 posts on permanent contracts, 3 posts on fixed term contracts

The fixed term Project Assistant Modern Apprentice post which ends in March '24 is not being replaced. The above figures include:

- one planned post (Green Finance & Communities) that is largely externally funded;
- one returning external secondment (Policy & Practice Lead), returning with effect from 1st May 2024.

Staffing costs account for 75% of our total 24/25 budget.

5. Annual budget

Annex B provides the draft budget for approval.

Against a total budget of £1.6M our breakdown of planned spend is as follows (including 3% over-programming):

<i>Spend heading</i>	<i>24/25</i>	<i>23/24</i>
Staff costs	1,173,000	1,050,000
Commissioner costs	79,000	75,000
Corporate costs	240,000	195,000
Communications and engagement	68,000	91,000
Research and project spend	80,000	148,000
Total	1,640,000	1,560,000

Existing commitments within the research and project spend include:

- Completion of research contracts on rural housing land supply and international experience in natural resource governance;
- Annual rural land market reporting;
- Partnership with Crown Estate Scotland to support community land acquisition.

Summary

The Business Plan sets out a clear focus for our work to deliver on agreed priorities, including sufficient staff flexibility to respond to and inform development of the land reform bill. Increased staffing capacity means we will spend less this year on externally commissioned work.

Recommendation: The board is asked to agree the 2024/25 business plan and budget

Hamish Trench

Chief Executive

February 2024



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Business Plan

2024-2025

Our Vision: the ownership and use of land supports thriving people and places

Our Strategy: People, Power & Prosperity

We work to achieve these high-level outcomes:

People - people participate in and influence decisions about how land is used;

Power – power and control in land is shared more widely through diverse ownership and governance;

Prosperity - the value and benefits of land are used fairly to create economic prosperity and wellbeing.

We do this by:

- Advising on reforms to law, policy and practice;
- Supporting practical implementation of Scotland's Land Rights and Responsibilities Statement;
- Promoting good relations between agricultural landlords and tenants through the functions of the Tenant Farming Commissioner;
- Engaging people in why land matters and how they can be involved;
- Underpinned by sound corporate governance and organisational development.

Our 2024/25 priorities at a glance

People	Power	Prosperity
Providing advice and evidence to support development of an effective land reform bill		
Using land reform to help address Scotland's housing challenge	Implementing more diverse land ownership and governance in practice	Using the value in Scotland's land to support Community Wealth Building
Supporting practical implementation of Scotland's Land Rights & Responsibilities Statement		
Engaging people in why land matters and how they can be involved		
Sound corporate governance and organisational development		

In 2024/25 we will deliver on our Programme of Work as set out below.

1. Advising on reforms to law, policy and practice – we will provide evidence, analysis and advice to Scottish Ministers, Parliament and stakeholders.

Programme of Work		Delivery focus for 24/25
1.1 Legislative reforms	Provide advice, analysis and evidence as required to inform development and implementation of legislative reforms	<ul style="list-style-type: none"> - Evidence and advice to inform Land Reform Bill - Evidence and advice to inform other bills if introduced, including Community Wealth Building and Human Rights bills - Convene Land and Human Rights Advisory Forum
1.2 More diverse land governance	Advise and promote opportunities in policy and practice to support more diverse models of land governance	<ul style="list-style-type: none"> - Complete scoping phase and subsequent research on international experience in natural resource governance - Provide advice and guidance on practical opportunities to develop different governance models including mixed governance and increasing availability of small-scale land holdings - Develop recommendations for reforms to Common Good Land - Convene Community Land Leadership Group to further develop community land ownership and continue collaboration with Crown Estate Scotland on the community land accelerator initiative
1.3 Approaches to land valuation	Review and research bringing scrutiny to approaches to land valuation	<ul style="list-style-type: none"> - Develop advice on ways land value can support community wealth building, drawing on previous work on land and taxation
1.4 Land assembly for development	Support collaborative land assembly approaches and inform policy and practice enabling development	<ul style="list-style-type: none"> - Advise on practical ways to increase land supply to help meet Scotland's housing challenge - Inform Scottish Government's review of Compulsory Purchase Order powers
1.5 Vacant & derelict land	Review progress to maintain momentum in delivering on the recommendations of the Vacant and Derelict Land Taskforce	<ul style="list-style-type: none"> - Complete and publish progress review against VDL taskforce recommendations

2. Supporting practical implementation of Scotland’s Land Rights and Responsibilities Statement – we will provide advice and guidance to help people and organisations implement the LRRS principles.

Programme of Work	Delivery focus for 24/25	
2.1 Good practice in land ownership, use and management	Develop and support implementation of practical Land Rights and Responsibilities Protocols with accompanying guidance and case studies	<ul style="list-style-type: none"> - Champion and share good practice in implementing the Land Rights and Responsibilities Statement - Refresh and update the Good Practice Programme and resources to improve accessibility and encourage uptake
	Deliver an ongoing programme of engagement and CPD for land agents and other professionals in collaboration with partners	<ul style="list-style-type: none"> - Deliver training for land agents and other professionals in collaboration with their representative bodies to promote high standards in land rights and responsibilities
	Provide advice for land owners and managers seeking to be proactive in implementing the LRRS	<ul style="list-style-type: none"> - Provide individual advice and guidance to support the development of good practice - Consider how standards for leadership in good practice are further developed
	Provide advice to communities and land owners where concerns are raised about implementation of the LRRS to support good practice	<ul style="list-style-type: none"> - Deliver casework to support good practice and promote good relations between landowners and communities - Regularly review casework to identify learning for policy and practice
	Convene the Good Practice Advisory Group as a regular means of stakeholder engagement and collaboration	<ul style="list-style-type: none"> - Collaborate with core industry bodies to collectively promote and support good practice
2.2 Community benefits and wealth building from land use change and natural capital	Publish Guidance and support innovative practice to ensure land use change and nature finance create social and economic benefits for local communities, including convening the Community Benefits Advisory Group	<ul style="list-style-type: none"> - Convene the Community Benefit Advisory Group to provide leadership and coordination in delivering community benefits from land - Provide advice and guidance to support the delivery of community benefits from land including a partnership post in the Cairngorms National Park - Inform development of Scottish Government’s nature market framework and UK market standards to embed the LRRS

3. Promoting good relations between agricultural landlords and tenants through the functions of the Tenant Farming Commissioner – we will support delivery of the statutory functions of the Tenant Farming Commissioner, seeking synergies with our wider work programme.

Programme of Work		Delivery focus for 24/25
3.1 Codes of Practice, Guidance and Casework	Ensure Codes and Guidance address current and emerging issues to support good relations	<ul style="list-style-type: none"> - Publish new Codes and Guidance as required - Draw on experience to inform development of the agricultural tenure measures in the Land Reform Bill - Extend mediation scheme
	Respond to casework enquiries or alleged breaches of Codes of Practice	
3.2 Relinquishment and Assignment of Agricultural Tenancies	Fulfil the statutory requirement to appoint a valuer when required to enable relinquishment and assignment of agricultural tenancies	<ul style="list-style-type: none"> - Ensure statutory requirements are fulfilled - Update process and guidance as appropriate
3.3 Role of Agents – progress review	Review progress against the TFC’s recommendations in the 2018 review of the conduct of professional agents of agricultural landlords and tenants	<ul style="list-style-type: none"> - Complete and engage on progress review
3.4 Tenant Farming Advisory Forum	Convene the Forum as a regular means of stakeholder engagement and collaboration	<ul style="list-style-type: none"> - Convene regular Forum meetings to support leadership and collaboration

4. Engaging people in why land matters and how they can be involved – we will involve the public and stakeholders in our work, build collaboration and use our convening role to bring different expertise and perspectives together with a shared focus.

Programme of Work	Delivery focus for 24/25
-------------------	--------------------------

4.1 Public engagement	Stimulating and informing the public conversation on land and land reform through publications, blogs, media and communications	<ul style="list-style-type: none"> - Develop refreshed programme of public engagement - Implement Gaelic Language Plan - Review social media strategy
4.2 Communications and events	Running a programme of online and in-person events to help develop understanding and involvement in issues involving land in Scotland	<ul style="list-style-type: none"> - Ongoing programme of events to support programme of work - Review and refresh brand identity and website - Maximise use of existing body of research and recommendations - Digital marketing to drive engagement and inform conversation amongst stakeholders
4.3 Convening Stakeholders	Convening engagement to promote collaboration and insights across sectors related to land as required and through standing groups including the Community Land Leadership Group, Land and Human Rights Advisory Forum, Tenant Farming Advisory Forum, Good Practice Advisory Forum.	<ul style="list-style-type: none"> - Convene established groups and keep under review opportunities to convene others to support leadership and collaboration
4.4 Building research capacity	Supporting opportunities for emerging researchers in land reform	<ul style="list-style-type: none"> - Support joint PhD opportunities with university partners - Annual student award - Participate in Community Land Academic Network

5. Being an effective organisation – we will invest in our systems and staff to ensure that we are able to deliver our core objectives effectively

Programme of Work		Delivery focus for 24/25
5.1 Business and financial planning	Ensure effective business and financial planning to support effective delivery of our programme of work	<ul style="list-style-type: none"> - External financial audit - Delivery reporting improvements - Monthly budget review & Quarterly financial planning - Keeping under review potential organisational implications of land reform bill
5.2 Organisational development	Invest in our workforce by undertaking a programme of organisational development to ensure the Commission is an attractive place to work	<ul style="list-style-type: none"> - Training and development plan - Introducing additional KPI focused on tracking staff health and wellbeing - Review of key HR policies and new HR portal

5.3 Climate action	Ensure progress towards meeting our climate action goals	<ul style="list-style-type: none"> - Updated climate action audit and plan - Regular reporting to Management Team, ARC and Board
5.4 Risk management	Ensure the Commission is aware and responsive to issues which may affect our ability to deliver on our programme of work	<ul style="list-style-type: none"> - Regular strategic and organisational risk reviews - ARC risk interrogation - Cyber essentials plus accreditation - Business continuity plan testing

Performance Monitoring

Progress on delivery will be reported to the board on a quarterly basis through a progress report including KPIs.

Key Performance Indicators		
Business area	Key performance indicator	
Delivery	90% of delivery lines assessed as green, on track for delivery	
Communications	Increase in communications reach (monitored through all forms of media)	
Staff wellbeing and satisfaction	Increase in staff satisfaction reported through staff survey results	
Finance	End of year outturn to be within 2% underspend of total allocated budget	

2024-25 Annual Budget

OVERALL BUDGET ALLOCATION		
	2024-25	2023-24
Income:	£'000	£'000
Grant-in-aid	1,600	1,559
Expenditure		
Commissioners	79	75
Staffing	1,173	1,050
Corporate & Organisational Development	240	195
Communications and Events	68	91
Programme and Project	80	148
TOTAL EXPENDITURE	1,640*	1,559

**includes 3% over-programming*



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Annex B

24/25 Budget

	PY Figures	CY Figures	Difference	Relation to Business Plan
Organisational Development	194,550	240,400	45,850	Section 5
Communications	91,000	68,362	(22,638)	Section 4
Reforming Land Markets	78,000	36,530	(41,470)	Section 1
Reforming Land Rights	60,109	35,000	(25,109)	Section 1
Staffing	1,050,000	1,173,404	123,404	
Commissioners	74,700	78,500	3,800	
Responsible Land Ownership/Use	<u>20,600</u>	<u>8,858</u>	<u>(11,742)</u>	Section 2/Section 3 (TFC)
	<u>1,568,959</u>	<u>1,641,054</u>	<u>72,095</u>	

GIA 24/25 1,600,000

(41,054)

3%



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

24/25 Budget

<u>Categories</u>	<u>Dept Codes</u>	<u>Leads</u>	<u>Allocated Annual Budget</u>
1. Advising on Reforms to Law, Policy and Practice			
Reforming Land Markets			
Natural Capital, Land Market & Just Transition	96		28,030
Land Development & Rengeneration	97	HT	6,000
Vacant and Derelict Land	101		-
Research Capacity Building	122		2,500
Reforming Land Rights			
Advice & Research to support Land Reform Bill	95	HT	-
Diversifying the Pattern of Land Ownership	103		35,000
Strategic Plan Total			71,530
2. Supporting practical implementation of Scotland's Land Rights and Responsibilities Statement			
Responsible Land Ownership/Use			
Strengthening Land Rights & Responsibilities	94	EC	5,000
Strategic Plan Total			5,000
3. Promoting good relations between agricultural landlords and tenants through the functions of the Tenant Farming Commissioner			
Tenant Farming			
Tenant Farming - Mediation	99	EC	3,000
Tenant Farming - Agent Review etc.	93		858
Strategic Plan Total			3,858
4. Engaging people in why land matters and how they can be involved			
Communications			
Events	112		17,000
Communications Campaigns	113		-
Digital	114		2,000
Design & Printing	115	NN	16,000
Communications, Monitoring & Review	116		7,362
Internal Communications	117		-
Communication Support	100		26,000
Strategic Plan Total			68,362
5. Being an effective organisation			
Organisational Development			
HR Service	118		20,000
IT Services	119		75,000
Brand Development	139		35,000
Legal Advice	120		15,000
Organisational & Financial Performance	121		60,000
Climate Action	124	NN	1,000
Office Accommodation	125		29,000
Office Supplies	126		200
External Meeting Costs	127		200
Insurance & Bank Charges	128		2,000
Subscriptions & Memberships	129		2,000
HSEQ	130		1,000
Strategic Plan Total			240,400
Staffing			
Staff Payroll/ On-Costs	131		1,141,404
Staff Travel & Subsistence	132	HT	12,000
Staff Training & Development	133		18,000
Recruitment	134		2,000
Dept Total			1,173,404
Commissioners			
Commissioners Fees	135		62,000
Commissioners Travel & Subsistence	136	HT	11,000
Commissioners Training & Development	137		4,000
Commissioners Meetings	138		1,500
Dept Total			78,500



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Commissioners' Meeting 5 March 2024 An Lòchran, Inverness

PAPER 4

Housing – scoping next steps in work to address the housing challenge

Purpose:	To consider next steps in applying the Commission's work to support action on housing
Previous board papers:	N/A
Action required:	For discussion

1. Background

In its February meeting the board agreed the Commission should give high priority in the coming year to converting its work on land for housing into action that helps meet Scotland's housing challenge. This paper provides background on current and previous work and considers next steps.

2. The Commission's existing research and recommendations

The Commission carried out a two-year review of land for housing leading to a major report in 2021 setting out recommendations. The core message was that a new approach is needed in which the public sector takes a stronger role in ensuring a land supply, particularly in rural and regeneration areas where the speculative market model does not deliver. The research and recommendations are summarised at Annex A.

In November 2023, recognising the heightened housing challenge and continued relevance of our work on land supply, we commissioned a report from the University of Glasgow with the following objective:

The overall objective of this work is to put forward practical recommendations that would deliver a 10-year supply of land to meet housing need and demand and support the growth opportunities available in much of rural Scotland. The emphasis goes beyond identifying land in the Local Development Plan, to ensuring it is in active ownership that will enable development.

The focus of this current work is intended to be on what is needed in practice to make progress, rather than reassessing the known challenges and policy analysis. This work is due to provide interim outputs in April and final report in May.

The Commission is also currently undertaking work reviewing progress with re-use of Vacant and Derelict Land following the publication of the [Vacant and Derelict Land Task Force Recommendations in 2020](#). Ryden have been commissioned to assess progress with land re-use. The Commission has also been undertaking work with Scottish Futures Trust, Scotland's Towns Partnership and Architecture and Design Scotland on regenerating town centres and increasing town centre living.

Both of these look at practical solutions to increase land and building re-use, including land assembly, and at what support is needed to increase land re-use.

The Commission has continued to engage widely on housing, for example participating in roundtable meetings with the Housing Minister on the Rural and Islands Action Plan, the Collaborative Centre for Housing Evidence (CaCHE) and giving evidence this month to the British-Irish Parliamentary Assembly's Inquiry into Rural Housing.

3. Wider context

There is a wide range of ongoing work and organisations involved in addressing the housing challenge. To be effective, our next steps need to consider carefully how we add value and play to our strengths. Key context to be aware of includes:

- Scottish Government policy context which includes delivery of National Planning Framework 4, the Rural and Islands Housing Action Plan, Depopulation Action Plan and delivery of Housing to 2040.
- Highlands & Islands Enterprise are leading work focused on quantifying the demand associated with growth opportunities and greater co-ordination in housing supply through collaboration with employers and major projects.
- Commitment by Scottish Government to review Compulsory Purchase Order powers in 2024, with a review group co-chaired by the Chief Planner and Roseanna Cunningham now established.
- Significant existing delivery and experience in community-led housing, particularly through Communities Housing Trust and South of Scotland Community Housing.
- Scottish Futures Trust are leading work on delivering Town Centre Living at scale to regenerate town centres and provide homes close to amenities.
- A Competition and Markets Authority Housebuilding Market Study which reported in February.
- Innovative work by planning authorities using policies and direct interventions to deliver affordable housing and increased supply.

4. Areas of focus for the Commission

Within this context there are some key areas in which the Commission's work can add value. We see these being:

- a) **Land assembly** – ways to create a long-term land supply for communities that is in public, community or other active control. For example, a rolling investment programme to create a public land bank; leadership on publicly owned land; leadership by private land owners.

- b) **Land ownership** – scaling up community-led and alternative governance models; informing Compulsory Purchase Order (CPO) reforms and supporting development of Masterplan Consent Areas to address situations where ownership is a barrier.
- c) **Land value** – informing ways that land value uplift can be reinvested to support delivery, for example through changes in CPO compensation approaches and/or wider changes in tax and planning policy.

5. Proposed next steps

- a) Use the current contract on land for rural housing with University of Glasgow, which involves wide engagement, to scope practical steps/opportunities;
- b) Capture learning from current series of Town Centre Living workshops being delivered with partners to identify opportunities where the Commission's work can have impact;
- c) Focus part of May's board meeting on housing with invited stakeholders to consider how best the Commission can have an impact;
- d) Develop advice from the Commission to inform Scottish Government's review of Compulsory Purchase Order powers.

David Stewart & Hamish Trench
February 2024

Annex A

Review of Land for Housing – 2021 recommendations

The Commission's [review](#) 'Land for Housing: Towards a Public Interest-Led Approach' makes recommendations for a new approach in which public bodies take a leading role in the housing land market, to create a more strategic and public-interest led way of bringing land for housing to development.

Recommendations include:

- Repurpose publicly owned land to deliver affordable housing;
- Introduce Regeneration Partnership Zones to speed up development where sites are in multiple ownership;
- Introduce new approaches to use uplift in land value to reinvest in delivery;
- Create a new public land agency function with powers and resources to ensure a steady long-term supply of development land.

The review was underpinned by a series of research and analysis publications including:

- A review of lessons from [land allocation, assembly and delivery](#) in other European countries, which shows a more proactive role for the state and models which share land value more productively.
- A review of lessons from [current policy and practice](#) in Scotland
- A review of the role of land in enabling [new housing supply in rural Scotland](#)
- An investigation into [land banking in Scotland](#)
- Analysis of the relationship between [residential land and house prices](#)
- A review of historic experience in attempts to [capture land value uplift](#) and [advice on options for land value capture](#)
- A discussion paper on the delivery [of public interest led development in Scotland](#)

The Commission has subsequently published more research on the case for greater [transparency in the use of option agreements](#) for development.

Commissioners' Meeting 5 March 2024

Paper 5

Brand and website development

Purpose:	To agree to review and redevelop the Commission's brand identity and website
Previous board papers:	N/A
Action required:	For agreement

1.0 Overview

This paper follows discussion at the February board meeting which proposed a refresh of the Commission's website. We recommend this should proceed as an integrated project that redevelops our brand identity and website together.

Our brand identity is critical in helping us to meet our strategic goals, it provides the framework for making our work engaging, accessible and as wide reaching as possible.

With the ownership and use of land in Scotland likely to receive increased attention over the coming years, we should assume interest in our work will increase – with an increasing number of people expected to visit our website to access our research. To meet this anticipated demand and opportunity, it is essential that we seek to review and redevelop our online resources, as well as our brand identity, to ensure our work remains as accessible and impactful as possible.

This paper sets out the current limitations of our existing brand identity and website as well as the steps we need to take to increase the effectiveness of our work.

2.0 Brand identity

Our current brand identity was established in 2017 supported by a set of brand guidelines designed to ensure visual consistency across our communications.

Since their introduction little has changed in our brand guidelines – leading to some stagnation and repetitiveness in our design work and our website. Moreover, the defined colour palette within our guidelines of green, white and grey has consistently led to some difficulties in differentiating ourselves from other organisations.

2.1 Current limitations

As well as omitting key details around tone of voice and photography, our current brand guidelines place an over reliance on paid for fonts which have a significant impact on the cost of producing designed materials and severely limit our ability to edit and amend documents in-house and raise accessibility issues.

As well as addressing these issues, by redeveloping our brand identity to better encapsulate our tone of voice and presentation of our work we will:

- Create a clearer and more accessible brand identity, increasing understanding and awareness of our work
- Create better consistency in the way we talk about our work
- Provide better value for money by removing existing barriers around production of communications collateral

3.0 Website review

A critical part of our brand identity and one of our most influential communications channels is our website. Our current website, developed in 2019, attracts around 3,000 visits each month, which is increasing year on year.

Our existing website utilises a bespoke content management system (CMS), which often incurs an additional cost to the Commission when changes to the platform are made. Due to the bespoke nature of the software, we are also committed to working with one supplier to administer all the changes we require. This presents a level of risk to the organisation, as there is a single point of failure should our supplier no longer be able to meet our needs.

3.1 Current challenges

As the areas of work and research undertaken by the Commission has grown the website has attempted to keep pace. New pages have been added to the website structure and publications continue to be uploaded to the resource library. The resulting affect is an overly complicated sitemap that users (and staff) find difficult to navigate, and a resource library where it is difficult to determine the most recent publications.

The website functionality includes a site search; however, the search has been found to be unreliable. The search function also provides no analytics on what is being searched which if available would help to inform not only our communications strategy but our work more widely.

Since launch, the design of the website has had very little in the way of updates and within the CMS functionality it is not possible for the communications team to make changes to the design of individual pages. The design now feels out of date and out of step with our branding and offers little encouragement for users to interact with the content on the website and creating an overall 'static' on-site experience.

The key challenges include:

- Complicated and poorly organised sitemap
- Broken search function
- Lack of transparency around publishing and review date of content on pages
- Poorly organised resource library with no ability for the communications team to manually organise this
- Restrictive CMS and overreliance on supplier for web updates

3.2 Organisational risk

In addition to the communications team navigating the administration of an increasingly outdated CMS platform, our current arrangement presents several organisational risks, including:

- Loss of data, should the website fail
- Overreliance on a single supplier, resulting in poor value for money
- Lack of clarity around supplier resilience processes (uptime commitments for site availability and no service level agreement in place).

4.0 Recommendations

With the expected introduction of the Land Reform Bill, it is likely to assume that interest and focus on our work will increase. To meet this and to reinforce our position as a respected

thought leader on issues of land in Scotland, it recommended that we now undertake a brand development project that includes:

- Brand audit and update of existing brand guidelines and development of updated key messages
- Unifying on internal and external communication styling based on refreshed brand guidelines
- Redesign and replatforming of our website to an opensource CMS
- Delegated responsibility for key page updates to members of staff within the Commission following training on the CMS to ensure content continues to be up to date and relevant.

5.0 Budget and timescales

5.1 Budget

It is recommended that a budget of £35k be allocated to this project. We believe this is a realistic level of commitment to secure the quality of work and functionality needed. Feedback from agencies contacted during the previous tendering process was that the budget was a limiting factor and resulted in only two responses to evaluate.

5.2 Timescales

The project would be split into the following key stages and dates:

Phase 1	Scoping, tender and tender evaluation	March – June
Phase 2	Brand audit and development of new brand guidelines	June – August
Phase 3	<ul style="list-style-type: none"> • Development of sitemap and user journeys. • Collating content for all pages in line with new sitemap. • Design of website mock-ups. 	August – November
Phase 4	Website build	November – January 2025
Phase 5	Testing, snagging and training	January – February
Phase 6	Launch <ul style="list-style-type: none"> • Social posts • Newsletter announcement. 	March

6.0 Approach

Having a cohesive and engaging brand identity and high functioning and accessible website is essential in helping us to achieve our strategic goals. This project represents a significant investment for the Commission and will require significant staff time to support delivery; initially within the Communications and Corporate Services team and then across the wider organisation to ensure our website is fit for purpose. The following approach is suggested to ensure the full breath of The Commissions' work is reflected on the website:

- Working groups from each work area convened to discuss sitemap for their specific workstreams (August)
- Feedback from groups developed in partnership with appointed agency to develop proposed sitemap (September)
- Sitemap presented to all staff (end of September)

- Responsibility for drafting content delegated to individual staff members (September – October)
- Content deadline (November)

The Communications and Engagement Manager will be responsible for this project reporting on and ensuring deadlines are met for this project to allow the suggested timescales for delivery to be met.

7.0 Conclusion

The success of strategic goals hinges greatly on the strength of our brand identity and the effectiveness of our online presence. As we anticipate increased interest in our work, and seek to ensure our work has impact, we must address the current limitations of our brand identity and website.

Current feedback from users is that our current online platform is not fit for purpose, meaning we are unable to maximise the impact of our work. By undertaking a brand development project that includes updating our brand guidelines, refreshing key messages, and redesigning our website to a more accessible CMS platform, we aim to enhance our visibility, consistency, and engagement with our audience.

The Board is asked to consider and approve the proposal for the brand development.

Scarlett Macfarlane

Communications and Engagement Manager

26 February 2024



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

The context and focus of our work on natural capital



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

For discussion – to include:

- Scottish Government Programme and policy context
- What else is happening
- What we have done so far and what impact
- Our focus for 2024/25



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

National Strategy for Economic Transformation (NSET)

- Within 2022 NSET ‘New Markets’ Programme:
- *‘Establish a values-led, high-integrity market for responsible private investment in natural capital to build on Scotland's international renown for its nature and its environmental policy framework on land and sea, and supported by a national project pipeline for nature-based solutions.’*
- *‘The Scottish Government is committed to ensuring that local communities are empowered and benefit from investment in natural capital’*
- Private Investment in Natural Capital (PINC) Programme



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

PINC Programme

Collaborative Scottish Government political and directorate ownership across:

- International Trade and Investment (DITI)
- Agriculture and Rural Economy (ARE)
- Environment and Forestry (EnFor)



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

PINC objectives

- Develop a Market Framework
- Support Scottish market vision by engagement in UK & international standards and policies
- Develop biodiversity investment plan
- Deliver FIRNS programme
- Provide Community Benefits guidance
- Pilot blended finance for peatland restoration



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Our role in PINC

- Providing advice to inform market framework
- Leading on community benefit and engagement
- Contributing to development of UK standards (BSI)
- Providing advice to some FIRNS projects
- Through participation in programme board and team



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

What else is happening

- Woodland & Peatland Carbon Codes
- Other Carbon codes developing
- Standards & Principles: eg BSI, UK Nature Market Principles
- Public land clusters
- South of Scotland 'Natural Capital Innovation Zone'
- NatureScot private finance partnership
- Peatland finance business case
- Pipeline work



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

SG-led research

- Mobilising private investment in natural capital (Finance Earth 2023)
- Green Land Investment: socio-economic impacts (JHI 2023)
- Understanding the local economic benefits of natural capital investment (WSP 2022)
- Natural Capital Economic Benefits Assessment (SG 2023)
- Biodiversity metrics
- Peatland restoration supply-side factors



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

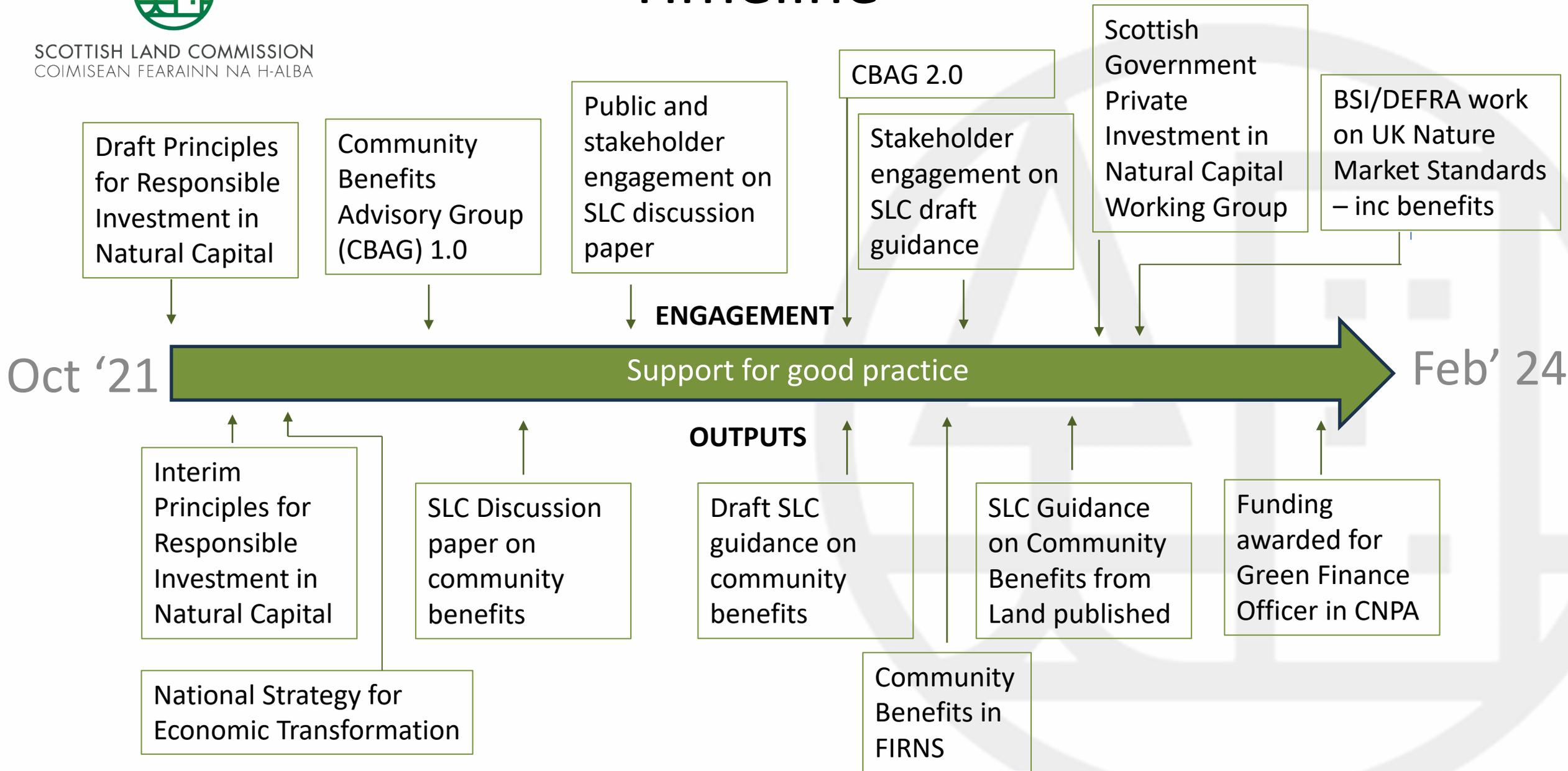
What we've done so far

- Developed Interim Principles for Responsible Investment in Natural Capital with Scottish Government & NatureScot (2022)
- Policy advice & recommendations in 2022 & 2023
- Published Community Benefit Guidance 2023
- Convening Community Benefit Advisory Group
- Advised on development of UK BSI standards
- Advised individual land owners/projects/investors
- Secured funding for Green Finance & Communities post in Cairngorms NP
- Developing business case for network of support posts for communities
- Reporting on implications in the rural land market



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Timeline





SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Impacts so far

- Establishing new narrative and expectations on community benefit
- Some traction with investors and land owners
- Changes in woodland & peatland codes re community engagement – community benefits coming
- FIRNS projects taking up community benefit approaches
- Informing UK standards



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Our focus in 24/25

Shaping market frameworks:

- Inform the Scottish Government's Nature Market Framework
- Inform the UK Nature Standards development with BSI
- Support the FIRNS Community Benefits Certification

Supporting implementation of community benefit:

- Continue to support and advise on good practice
- Develop further guidance and resources as helpful
- Employ Cairngorms post and seek funding to establish network of support posts
- Convene the Community Benefits Advisory Group as a focal point for national shared learning, practice and innovation
- Legal advice on community benefit agreements commissioned