



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Community Land Leadership Group

Thursday 29th August, 11am, Online

Note of meeting

Present: Mike Russell (Scottish Land Commission), Lorne MacLeod (Scottish Land Commission Chair of Meeting), Hamish Trench (Scottish Land Commission), James MacKessack-Leitch (Scottish Land Commission), Gemma Campbell (Scottish Land Commission), Sandra Holmes (HIE), Jamie McCaw (National Lottery Community Fund), Dave Thomson (Scottish Government), Ailsa Raeburn (Community Land Scotland), Katie Alexander (Crown Estate Scotland), Kirsten Logue (SoSE)

Apologies: Josh Doble (Community Land Scotland), Linda Gillespie (COSS / DTAS).

Introduction

It was agreed that members were happy that the previous note of meeting accurately reflected discussion. The Chair noted that a summarised version of the note would therefore be published on the Land Commission website for transparency.

Topic Discussion: Community Right to Buy Review

Members discussed the scope and practicalities of the CRtB review, with comments relating to:

- Independence and rigour – Scottish Government side of process
- Timescale and resourcing
- Structure for engagement – capturing experience

Relationship to LRB

- Reliance of prior notification on good CRtB
- Timescales

CRtB Review – scope and process

On the scope and practicalities of the CRtB review members discussed whether the review is sufficiently independent and what could be done to help with that. It was noted that communities need to maintain a good relationship with SG and may be reluctant to be fully open.

SG noted that they are happy to hear criticism and honest opinions. They want the process to be backed up with strong evidence and to hear what the issues and potential solutions are. They are confident in the rigour and openness of the review.

Resourcing of the review was considered – no additional resource is allocated. The review will be undertaken by the team alongside their day-to-day work. The merits and drawbacks of an independently commissioned review were discussed.

A suggestion was raised for a reference group to be established based on the CLLG membership, with some additional representation, e.g. landowners and solicitors. This group could interrogate conclusions and challenge the process, providing advice and independence without adding costs. **ACTION: SLC to follow up with SG on establishment of reference group.**

Relationship to Land Reform Bill

Prior notification measure in Land Reform Bill relies on Part 2 CRtB functioning well.

Questions raised about this:

Accepting timescale for CRtB review, are there things that could be done to make prior notification more useful?

Definitions, timescales, simplification – what would be helpful? Where are opportunities for this?

There was a suggestion that the measure as currently proposed is not delivering on the original policy intent. CLS has put in a proposal for some minor changes to Part 2 in the short term to deliver on the intent of the Bill and would be happy to circulate these. SG happy to discuss these.

HIE has launched a community survey on community wealth building to get a snapshot on community feelings and priorities. There is a section on community assets, which asks people about thoughts, views, experience of CRtB – whether people have used it and, if not, why not? Will also explore if there are aspirations to own larger tracts of land. Will be opportunities to follow up with respondents. Sandra will send link to survey. Running until end of September. Reporting early 2025.

SoSE may run a similar survey to HIE for their area. Some groups don't interact with CRtB – difficult to say why they don't but if there is anything that could be drawn out

of groups that contacted the Community Land Team and didn't pursue CRtB that would be helpful.

It was highlighted that some of the points raised in the meeting paper don't necessarily need legislation to change (E.g. timeframes for issuing Section 34 letters). Provision of templates could also be helpful and wouldn't need legislation. Adding more around Part 2 in LRB may be challenging. Need to strike balance – what do we really need to do? What is practical to do without legislation? Concern was raised that CRtB is not currently working and this presents an opportunity for critics to see elements of Bill taken out due to process issues. Desire to address criticisms and keep pre-notification process. It was noted that changes to legislation following CRtB review will possibly not be until 2027/28. Need to consider impact on people if we don't make changes now. Are there barriers that could be removed through small amendments? If there are then some feel we should and it would be wrong to pass over legislative opportunity to do this.

Members were encouraged to gather evidence and submit thoughts and responses to Dave's team.

Information sharing

Kirsten shared a link to a vacancy being advertised by SoSE for their Communities team, and asked members to share.

Date and focus of next meeting

Next meeting will take place on 31st October.

Topic: Finance, resource and capacity constraints. Noted that it would be helpful to cover capacity in the sector – and funding for post-acquisition development.