



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Meeting of the Commissioners

Tuesday 3rd November 2020, 9:30am
By Video-Conference

A G E N D A

Item no	Item	Paper no	Action	Lead
	Welcome/Apologies			Andrew Thin
	Declarations of Interest			Andrew Thin
1.	Minutes of previous meeting 6 th October 2020	1	For agreement	Andrew Thin
2.	Quarterly Progress Report <ul style="list-style-type: none">- Delivery- Finance- Audit and Risk Committee Report- Risk Register- Communications	2 Annex A Annex B Annex C Annex D Annex E	For Discussion	Hamish Trench
3.	Scottish Government Update	-	For information	Fiona Taylor
4.	Progress report on Land Rights and Responsibilities workstream	3	For Discussion	Emma Cooper
5.	Post-project impact evaluation: Vacant and Derelict Land	4	For Discussion	Kathie Pollard & Shona Glenn
6.	Communications half-year update	5	For information	Posy MacRae
7.	AOB			

The meeting will be followed by an annual performance discussion for the board.

Actions from Board Meetings - Update of actions to date

Action number	Date Raised	Context	Action Detail	Responsible	Date Required	Date Closed	Comments
20100601	06/10/2020	Concentrated Land Ownership	Hamish to bring a revised paper to the November or December meeting	Hamish Trench			Paper scheduled for 1st December meeting
20100602	06/10/2020	Tax Reforms	The board to conder a formal expenditure authorisation by correspondence	Commissioners			Expenditure Authorisation circulated 13th October and approved
20100603	06/10/2020	Cabinet Secretary Meeting	The chair to advise board members of agenda and format for this meeting	Andrew Thin			Agenda circulated



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Commissioners' Meeting 7th July 2020 By Video-conference

PAPER 2

Quarterly Progress Report

Purpose: To review progress for Quarter 2: July - September 2020

The quarterly Board Business meetings are intended to maintain oversight of progress through the year. This report covers the second quarter of delivery of the 2020/21 Business Plan.

The report comprises four annexes to this paper:

- a) *Delivery Progress*:** Annex A sets out the RAG assessment for delivery against our 20/21 Business Plan. The commentary provides an update on progress.

Delivery highlights in Quarter 2 include:

- Publication of further LRRS Protocols on diversification of ownership, negotiating transfers to communities, and good stewardship;
- Publication of Recommendations of the Vacant & Derelict Land Taskforce;
- Submission of advice on Regional Land Use Partnerships to Scottish Government;
- Publication of rural housing land report;
- Blog series on 'Scotland's Land and Economy';
- Publication of new Strategic Plan and Programme of Work.

Commissioners are asked to consider the progress commentary and in particular:

- any amber or red assessments;
- whether delivery is meeting organisational objectives and stakeholder expectations;
- any significant external factors affecting delivery/horizon scanning.

- b) *Finance Review*:** Annex B sets a summary of our financial position at the end of Quarter 2. At this half year point we have reprofiled the budget to take account of changes in projects and planned spend. The revised budget is presented in Annex B.

The reprofiled budget brings spend down further from our over-programmed position towards our target position. At this half year point we have spent 50% of budget and a further 42% is already committed in the remaining two Quarters.

c) *Audit and Risk:* The Chair of the Audit and Risk Committee will provide the board with an update following the ARC meeting on 2nd November. The updated Strategic Risk Register is provided at Annex D for consideration.

d) *Communications:* Annex E provides a summary of communications activity over Quarter 2 and a look ahead.

Other Updates

Future Ways of Working and Organisational Review

The internal group on future ways of working has been developing proposals for changes in the way the Commission operates prompted by the implications of Covid-19, including future home working arrangements.

The Management Team have also been developing proposals for a refresh of the organisation structure alongside changes in the way we work to ensure we create the kind of organisation we want to be.

Proposals on the future ways of working and organisational review will be brought to the Staffing and Remuneration Committee for consideration on 18th November.

Scottish Government and Parliamentary liaison

The Chair and Chief Executive had a phone meeting with the Cabinet Secretary for Environment, Climate Change and Land Reform on 24th September, following approval of the Strategic Plan. The Board's annual meeting with the Cabinet Secretary is scheduled for the afternoon of 3rd November.

The Chief Executive gave evidence to the ECCLR Committee inquiry into a green recovery on 22nd September. The Strategic Plan, Programme of Work and Annual Report 19/20 were laid in Parliament on 28th September.

Hamish Trench
Chief Executive

*RAG rating:			
On track – continue with current action	More work needed to ensure delivery – additional action known	Risk of delay or non-delivery – needs further action taken	Work not yet started

LAND FOR HOUSING & DEVELOPMENT

Workstream	20/21 Activity	Outputs	RAG	Progress
Vacant and Derelict Land Aim: To embed a strategic approach to addressing persistent land vacancy and dereliction that tackles Scotland's legacy of existing sites and prevents new sites from being created.	Support local and national government to embed strategic approach to prioritising the reuse of long-term derelict sites.	Task Force recommendations published Report and engagement to focus effort on 'stuck' sites.		Taskforce recommendations published and submitted to Government.
	Support development of effective approaches to community-led regeneration for small sites.	Strategic partnership with DTAS established and new community-led land reuse officer in post.		Partnership established and Project Manager in place.
	Support public agencies to embed focus on productive land reuse within corporate decision making processes.	Develop practice guidance on assessing benefits of productive reuse and series of CPD events to support take up.		Guidance complete and positive discussions underway with partners about how to embed in practice.
Land Assembly and Place-making Aim: To establish a more collaborative approach to place-making which aligns land value, planning and development interests	Undertake research on ownership and market factors constraining the availability of land for housing in remote and rural areas and alternative models of ownership and control that could help to overcome these barriers.	Publish research evidence and options to improve future delivery.		Research complete and published July.
	Draw together outputs and findings from work to date on the housing and development land market.	Report setting out key areas of change needed to deliver reform of housing land market. Protocol on sharing information on land prices.		Research on schedule. Protocol on sharing information on land prices postponed due to reduced capacity.

MODERNISING LAND OWNERSHIP

Workstream	20/21 Activity	Outputs	RAG	Progress
Diversifying the pattern of land ownership Aim: To stimulate a less concentrated pattern of land ownership.	Support the Scottish Government in developing legislative options to address the risks and adverse consequences of concentrated power in land ownership.	Proposal and rationale for legislative measures including a public interest test.		Discussion paper on rationale and approach to legislative reform scheduled for December
	Support non-statutory action to diversify land ownership through a programme of review and engagement with the land ownership sectors.	Discussion paper and associated events on non-statutory interventions. Published practice guidance on non-statutory interventions.		LRR Protocol on Diversification published and webinar delivered. Guidance on non-statutory interventions delayed and due for publication Q1 2021/2.
Public Interest governance and models Aim: To develop, promote and normalise models for managing and owning land that better serve the public interest.	Review options to modernise governance and practice in Common Good land	Recommendations for modernising governance.		Work temporarily postponed because LAs are unlikely to be able to fully engage due to Covid-19 response. Expect to restart Qtr 4
	Investigation and promotion of alternative models of governance in land ownership and use.	Develop models, associated guidance and case studies on alternative models of ownership and governance.		Work postponed due to Covid-19 related staff capacity constraints. Expect to restart Qtr 4
	Support the normalisation of community land ownership and implementation of the Commission's recommendations agreed by Ministers.	Continued participation in community ownership leadership and implementation groups to		Work on financing options for community ownership (ref PfG) scheduled to start Qtr 4.

		progress delivery of recommendations.		
--	--	---------------------------------------	--	--

LAND USE DECISION MAKING

Workstream	20/21 Activity	Outputs	RAG	Progress
Land Rights and Responsibilities Good Practice Aim: To support practical implementation of land rights and responsibilities.	Deliver the Good Practice programme, building confidence and capacity in land rights and responsibilities.	Programme of publications, training events and sector support. Report on pilot self-assessment against Land Rights and Responsibilities Biannual meetings of good practice advisory group.		8 self-assessments being progressed by Community Land Scotland plus 9 being delivered in-house. Further partnerships for self-assessment delivery in discussion. GPAG meeting Nov 2020.
	Publication of Land Rights and Responsibilities Protocols.	Publish Protocols and supporting guidance Route maps signposting communities and landowners where to access information on landowners and community groups.		All LRR protocols published. Common Good protocol drafted and circulated for feedback. Information map published.

	Casework to support effective delivery of community engagement and wider land rights and responsibilities	Ongoing casework and case studies		<p>10 enquiries and 12 cases were recorded this quarter.</p> <p>Contact mainly came from landowners (8), individuals (6) and community organisations (4). More than half of the enquiries related to private (7) or publicly (5) owned land.</p> <p>Issues raised include community engagement (9), good stewardship (4), vacant and derelict land (3), negotiated transfer to communities (2), transparency (2) and diversification of ownership (2).</p>
<p>Regional Land Use Partnerships</p> <p>Aim: To advise Ministers on establishing effective regional land use partnerships and plans.</p>	Develop proposals and advice that will enable Scottish Government to establish effective regional land use partnerships delivering on climate action and improving the quality and accountability of land use decision making	Stakeholder engagement workshops; Report and advice to Ministers		<p>Complete.</p> <p>Advice completed and submitted to Scottish Government.</p>

Tax and Fiscal Policy Aim: To develop options for using tax and fiscal policy to stimulate a more productive, diverse and accountable pattern of landownership and use.	Undertake research to explore the potential scope of tax as a means to achieving land reform objectives.	Scoping report to inform longer term investigation.		Scoping report complete. Phase 2 agreed and contract underway. Expert Advisory Group being established Qtr 3.

AGRICULTURAL HOLDINGS

Workstream	20/21 Activity	Outputs	RAG	Progress
Good Practice Aim: To support successful relationships between agricultural landlords and tenants.	Promote Tenant Farming Commissioner Codes of Practice and publish new Codes and Guides as required.	Publish new codes/guides on rent review and relinquishment & assignation once enacted		R&A: SSIs required, TFC panel of valuers to be appointed. Drafted TFC Code on rent reviews. TFC consultation on compensation for resumption of land. Guidance on statutory compliance drafted.
	Casework associated with Codes of Practice.	Review of pilot mediation service		21 new contacts July-Sept '20 New mediation scheme proposed for 2021-23.

				Mock Mediation virtual event 7 & 8th Dec.
	Review changes in legislation, policy and practice that will enable farm tenants to contribute to and benefit from Scottish Government woodland expansion targets	Report on options		Planned for Q4
Improving land availability Aim: To promote more flexible models for making land available to new and developing farmers.	Promotion of advice and guidance on joint venture options and farm business incubator models	Joint workshops/support for LMS on new entrants and succession		Workshops paused as FAS focus on delivering core functions by December; future of FAS uncertain post-brexite. Support on-going for LMS. 4 'matches' made to date. Adviser has spoken to over 150 people.
	Support development of the land matching service.			
Stakeholder Engagement Aim: Identification and discussion of issues relevant to the development of the tenant farming sector	Facilitate the Tenant Farming Advisory Forum.	Biannual meetings		TFAF met 9 July. Next meeting Jan 2021.

Reference	Name	Budget Holder	Original Budget Allocation	Revised Total Budget	Actual Spend	Variance Actual spend against budget	Percentage still to be spent	Committed spend	Uncommitted Spend	percentage of budget uncommitted
	Commissioners									
CMEETINGS	Commissioners meetings	Hamish Trench	1500	1500.00	0.00	1500.00	100.00%	0	1500.00	100.00%
CTRAINDEVELP	Commissioners training and developmen	Hamish Trench	3000	3000.00	0.00	3000.00	100.00%	0	3000.00	100.00%
CTRAVELSUBS	Commissioners travel and subsistence	Hamish Trench	25000	500.00	74.50	425.50	85.10%	0	425.50	85.10%
FEEES	Commissioners fees	Hamish Trench	60000	60000.00	33635.13	26364.87	43.94%	24025	2339.87	3.90%
	Staffing									
PAYROLL	Staff payroll-on-costs	Hamish Trench	901938	847673.00	466543.73	381129.27	44.96%	354250	26879.27	3.17%
RECRUITMENT	Recruitment	Hamish Trench	2000	2000.00	0.00	2000.00	100.00%	0	2000.00	100.00%
STAFFTRAVEL	Staff travel and subsistence	Hamish Trench	32000	1000.00	26.60	973.40	97.34%	0	973.40	97.34%
TRAINDEVELOP	Staff training and development	Hamish Trench	16000	21000.00	14529.00	6471.00	30.81%		6471.00	30.81%
	Communications									
CAMPAIGNS	Communications campaigns and support	Posy MacRae	72988	87988.00	22611.01	65376.99	74.30%	8776.8	56600.19	64.33%
DESIGN	Design and Printing	Posy MacRae	14500	17500.00	8690.20	8809.80	50.34%	2155	6654.80	38.03%
DIGITAL	Digital	Posy MacRae	15500	15500.00	1440.00	14060.00	90.71%		14060.00	90.71%
EVENTS	Events	Posy MacRae	37000	15000.00	2201.06	12798.94	85.33%	150	12648.94	84.33%
MONITOR	Communications monitoring and review	Posy MacRae	6400	6400.00	0.00	6400.00	100.00%	2400	4000.00	62.50%
INTERNAL	Internal Communications	Posy MacRae	500	500.00	0.00	500.00	100.00%	0	500.00	100.00%
	Organisational Development									
CLIMATEACTIO	Climate Action	Posy MacRae	2000	2000.00	900.00	1100.00	55.00%	0	1100.00	55.00%
EXTMEETINGS	External Meeting Costs	Posy MacRae	1000	0.00	0.00	0.00	0.00%	0	0.00	0.00%
HRSERVICE	HR Service	Posy MacRae	13000	15000.00	6985.08	8014.92	53.43%	6735.9	1279.02	8.53%
HSEQ	Health, Safety, Environment & Quality	Posy MacRae	1500	1500.00	0.00	1500.00	100.00%	486.86	1013.14	67.54%
INSURANCE	Insurance and bank charges	Posy MacRae	1600	1600.00	811.68	788.32	49.27%	150	638.32	39.90%
ITSERVICE	IT Service	Posy MacRae	51300	53300.00	28802.13	24497.87	45.96%	14478.64	10019.23	18.80%
LEGALADVICE	Legal Advice	Posy MacRae	28800	28800.00	14400.00	14400.00	50.00%	14400	0.00	0.00%
OFFICEACCOMM	Office Accommodation	Posy MacRae	41500.00	41500.00	21230.41	20269.59	48.84%	18464.08	1805.51	4.35%
OFFICESUPPLI	Office Supplies	Posy MacRae	2000.00	2000.00	1716.93	283.07	14.15%	0	283.07	14.15%
ORGFINANPERF	Organisational Financial Performance	Posy MacRae	48210.00	49060.00	10184.40	38875.60	79.24%	38450.4	425.20	0.87%
PERFEVALUATI	Performance Evaluation	Posy MacRae	7657	0.00	0.00	0.00	0.00%	0	0.00	0.00%
RESEARCHCAP	Research Capacity Building	Posy MacRae	10200.00	10200.00	0.00	10200.00	100.00%	9188.4	1011.60	9.92%
SUBSCRIPTION	Subscriptions and memberships	Posy MacRae	1205.00	1355.00	1354.00	1.00	0.07%	0	1.00	0.07%
	Agricultural Holdings									
GOOPRACTICE	Good Practice	Sarah Allen	5000	9200.00	0.00	9200.00	100.00%	7538	1662.00	18.07%
IMPROVING	Improving Land Availability	Sarah Allen	20000	16000.00	1831.19	14168.81	88.56%	10500	3668.81	22.93%
STAKEHOLDER	Stakeholder Engagement	Sarah Allen	8000	4835.00	0.00	4835.00	100.00%	4835	0.00	0.00%
	Land Use Decision-Making									
COMMENGAGE	Community Engagement	Emma Cooper	0	0.00	0.00	0.00	0.00%	0	0.00	0.00%
LRR	Land Rights and Responsibilities	Emma Cooper	16000	28200.00	0.00	28200.00	100.00%	10200	18000.00	63.83%
REGIONALLAND	Regional Land Use Partnerships	Hamish Trench	36200	86749.00	55952.10	30796.90	35.50%	28112.26	2684.64	3.09%
TAXFISCAL	Tax and Fiscal Policy	Shona Glenn	49000	82392.00	23952.00	58440.00	70.93%	58440	0.00	0.00%
	Land for Housing & Development									
VDL	Vacant and derelict land	Shona Glenn	68604	57219.00	31087.86	26131.14	45.67%	26102.4	28.74	0.05%
LANDASSEM	Land assembly and placemaking	Shona Glenn	15000	8973.00	8972.78	0.22	0.00%	0	0.22	0.00%
	Modernising Land Ownership									
DIVERSIFYING	Diversifying the pattern of land owne	Shona Glenn	18600	27201.00	7200.00	20001.00	73.53%	0	20001.00	73.53%
PUBLICINTERE	Public Interest Governance and Models	Shona Glenn	20800	0.00	0.00	0.00	0.00%	0	0.00	0.00%

Totals			1655402	1606645.00	765131.79	841513.21		639838.74	201674.47	
--------	--	--	---------	------------	-----------	-----------	--	-----------	-----------	--

Total Committed 639838.74
Spend to date 765131.79
Total 1404970.53
Uncommitted 201674.47
Total Percentage Uncommitted 12.55%

DrawDown Budget 1526000

Total spend + 1404970.53
committed
Uncommitted 121029.47
Total percentage 7.93%
uncommitted

Risk ID	Risk Description	GROSS RISK			Controls in Place	Control Effectiveness	NET RISK			Risk Movement	Risk Appetite	Action Taken/Planned	Target Risk	Target Date	Risk Owner
		Untreated Impact	Untreated Likelihood	Untreated Risk Score			Current Impact	Current Likelihood	Current Risk Score						
VISION: Fair inclusive and productive system of ownership management and use of land that delivers greater benefit for all the people of Scotland															
RISK CATEGORY: DELIVERY															
1	The Commission is unable to demonstrate/measure change against agreed outcomes and objectives	4	5	20	Baseline data and monitoring methods/ indicators to be identified	Partial	3	1	3	Decreasing ↓	Cautious	Logic model and performance monitoring framework finalised, KPIs agreed by ARC. New indicators developed for new Strategic Plan and to be signed off by ARC	2	Nov-20	CEO
2	Catastrophic loss of systems resulting in the Commission not being able to operate as an organisation	5	4	20	Business continuity plan in place, cloud based IT system accessible outwith the office environment, cyber essentials accreditation	Effective	2	1	2	Decreasing ↓	Averse	Working closely with IT service provider to ensure cyber security, cyber essentials achieved. Business continuity plan in place and regularly updated. Continuity arrangements effective in COVID-19 response. Cyber incident plan for approval by ARC	1	Dec-20	Head of communications and corporate services
3	Over reliance on a small number of sector consultants and researchers in securing the expertise to deliver high quality research/contracts resulting in delay or a gap in delivery	4	3	12	Proactively build relationships with research institutions; ensure realistic budget provision for research; research quality framework in place	Partial	3	3	9	Static →	Cautious	Use of research quality framework in designing and awarding contracts; relationship development with universities and suppliers; awareness raising within sector. Looking at how tender packages of work can be structured to attract more interest. National student award JML, Jan 2021. Delays to work due to COVID-19 now complete.	4	Nov-20	Head of Policy and Research
4	Ability to react quickly in matching resources to changes in priorities	3	3	9	Maintain team approach to delivery enabling staff to draw on capacity and expertise across the team as required; Quarterly progress reporting to Board	Effective	2	3	6	Static →	Cautious	Continuous monitor, review capacity and resources and reprioritise as necessary through regular team meetings. Workforce planning to be carried out alongside development of Strategic Plan. Project team arrangements in place to co-ordinate effective cross-team working.	4	Dec-20	CEO
RISK CATEGORY: REPUTATIONAL															
5	Emerging issues result in reactive policy making, and relationship management.	5	4	20	Proactive horizon scanning to anticipate future issues, work closely with stakeholders and put internal processes and measures in place for handling.	Partial	3	3	9	Decreasing ↓	Minimalist	Working closely across policy areas and with stakeholders to identify potential issues/cases in advance and take action to mitigate. Clear case handling and internal communications procedures. - Ongoing HT, SA, SG. COVID-19 creates fluid environment. SG land reform and land use team back in roles, clear statement of intent on role of land reform in economic thinking in PFG.	3	Dec-20	CEO
6	Consistently joining up the Commission's outputs in a clear narrative and linking to the wider land reform agenda	4	3	12	Develop strong narrative between role of land in post COVID economic recovery and delivering-wellbeing economy, climate action, and reducing inequalities. Implement strategic communications plan, including maintaining strong digital and media presence; regular performance monitoring	Effective	2	2	4	Static →	Minimalist	Strategic Plan, Programme of Work and Business Plan provide clear vision, purpose & priorities; 20/21 Communications strategy drafted with focus on increasing awareness and link between land and economic recovery. Narrative developed and now embedded. Land & Economy series of blogs highlighting role of land in recovery and renewal. Strategic plan launched with strong messaging and linking into recovery and renewal.	2	Dec-20	Head of communications and corporate services
7	Effective management of strong relationships with key stakeholders in policy development and also identify opportunities for collaboration, maximising the potential of relationships with a broad range of stakeholders.	5	4	20	All relevant stakeholders are identified and a clear engagement strategy put in place, Commission presence at key stakeholder events, regular liaison meetings with stakeholders and periodic review of stakeholder analysis	Effective	2	4	8	Static →	Open	Regular engagement with key stakeholders through events & 1:1; wide stakeholder engagement through policy development and communications. VDL taskforce, RLUP and strategic plan all had strong stakeholder engagement- Ongoing PM. Board sessions with stakeholders to be organised.	4	Jan-21	CEO

8	Manage relationship across Scottish Government so that Commission's work is understood and recommendations are well received.	5	4	20	Ensure regular engagement between the Commission Chair and the Cabinet Secretary for Environment, Climate Change and Land Reform, and between the Tenant Farming Commissioner and the Cabinet Secretary for the Rural Economy. Ensure regular engagement between the CEO and the SG Sponsor and Policy Teams.	Effective	3	3	9	Decreasing ↓	Open	Reprioritisation of work in SG due to COVID-19 response but land reform policy team now back in place with new Head. AT & HT met with Cab Sec Sept 20; Regular sponsorship & policy team liaison in place, strategic plan aligned to the recovery stage. Strong links in with VDL - HT, SG Ongoing	4	Dec-20	CEO
RISK CATEGORY: COMPLIANCE															
9	Failure to have in place or adhere to statutory or non-statutory corporate governance policies or procedures.	4	4	16	Ensure internal control system in place; Work to the production timetable for completion of all documents, and disseminate widely to ensure maximum awareness.	Effective	2	1	2	Static →	Minimalist	Using checklist of assurance controls; Internal audit review of assurance mapping, 20/21 Internal Audit plan agreed and underway including finance systems and HR functions. Revised arrangements for finance and year end accounts in place for working from home. Annual report and accounts signed off PM	1	Dec-20	CEO
10	The Commission fails to deliver to its allocated budget, resulting in reputational, administrative and governance failures.	5	4	20	Agree both a Corporate and Business plan which set appropriate budget allocations. Work to specified monitoring cycles, reporting requirements, and guidelines set out in the SPFM. Ensure correct adherence to authorisation procedures and delegated limits. Practice of over budgeting for 20/21 business plan.	Effective	3	3	9	Decreasing ↓	Averse	Internal Scheme of delegation in place; 20/21 Annual Business Plan agreed with overprogramming of budget. Quarterly board monitoring in place. Monthly profiling to manage spend evenly through the financial year and to be kept under review.	1	Dec-20	CEO
RISK CATEGORY: STAFFING															
11	Individual members of staff are absent due to illness etc resulting in loss of capacity for critical elements of business systems and delivery	5	4	20	Ensure good internal communication and provision of desk instructions for business critical functions. Continuously seek to improve the working environment by monitoring and improving staff satisfaction and absence levels.	Partial	3	4	12	Static →	Cautious	Internal policies prepared and series of desk instructions for critical tasks prepared. Reprioritisation of tasks where needed. Continued review of HR policies & staff engagement. Weekly MT review of COVID-19 implications and regular staff communication in place. Wellbeing campaign over the winter. PM ongoing	4	Feb-21	Head of communications and corporate services
12	Change in work priorities, competing expectations or insufficient prioritisation impacts on staff wellbeing	5	4	20	Open and transparent - hold regular staff meetings, keep all staff informed of big picture direction, changes in priorities/focus. Overview through management team. Strong internal comms and leadership from managers to ensure wellbeing of staff during COVID-19 response period.	Effective	4	4	16	Static →	Cautious	Regular team catch ups, monthly staff meetings and regular overview and resource planning through management Team. Monthly conversations, effective line management. Continually review current capacity and impact of COVID-19 response. Head of LRR in place. Staff skills audit carried out. Regular wellbeing surveys carried out. MT undertaking organisational review. Action plan from staff survey results in place - PM	3	Feb-21	CEO

OVERALL RISK LEVEL KEY

Risk Level	Score	Risk Level Description
High	20-25	Unacceptable level of risk exposure which requires action to be taken urgently. 'Red risks' to be reported to Accountable Officer/Management Team for possible reporting to the ARC and Board to be included in the strategic risk register.
Medium	10-19	Acceptable level of risk but one which requires action and active monitoring to ensure risk exposure is reduced..
Low	1-9	Acceptable level of risk based on the operation of normal controls. In some cases it may be acceptable for no mitigating action to be taken e.g. risk score is < 4.

Control Effectiveness
Effective
Partial
Not Effective

Risk Movement
 New
 Static
 Increasing
 Decreasing

IMPACT AND LIKELIHOOD KEY

Impact	Multiplier					
Very High	5	5	10	15	20	25
High	4	4	8	12	16	20
Medium	3	3	6	9	12	15
Low	2	2	4	6	8	10
Negligible	1	1	2	3	4	5
	Multiplier	1	2	3	4	5
Likelihood		rare	low	medium	high	very high

RISK APPETITE DEFINITIONS

Appetite	Descriptions
Averse	Avoidance of risk and uncertainty in achievement of key deliverables or initiatives is paramount. Activities undertaken will only be those considered to carry virtually no inherent risk.
Minimalist	Predilection to undertake activities considered to be very safe in the achievement of key deliverables or initiatives. Activities will only be taken where they have a low degree of inherent risk. The associated potential for reward / pursuit of opportunity is not a key driver in selecting activities.
Cautious	Willing to accept / tolerate a degree of risk in selecting which activities to undertake to achieve key deliverables or initiatives, where we have identified scope to achieve significant reward and/or realise an opportunity. Activities undertaken may carry a high degree of inherent risk that is deemed controllable to a large extent.
Open	Undertake activities by seeking to achieve a balance between a high likelihood of successful delivery and a high degree of reward and value for money. Activities themselves may potentially hold a high degree of residual risk.
Hungry	Eager to be innovative and choose activities that focus on maximising opportunities and offer potentially very high reward, even if these activities carry a very high residual risk.



Communications Quarterly Report

SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

1 July 2020 – 30 September 2020

MEDIA

155 **133** **98%**

Articles

Land Commission generated

Positive coverage

8

Articles about TFC

Coverage breakdown



WEBSITE

7857 **20%** **2.3** **2.2m** **3205**

Visits

% change against previous quarter

Average page views

Spent on site

Blog views

- Land and economy blog series
- TFC
- Rural Housing
- Value of land is more than pounds and pence

Top pages: News / Our Work / VDL / About Us

SOCIAL MEDIA

Followers



3312

Change to previous quarter

9%

Total number of engagements

6330

% change against average for 2019/20

50%

Highest number of impressions or reach for post

12193

Value of land is more than pounds and pence...



1034

4%

810

6.7%

1870

RLUP interim report



226



Wider benefits of land reuse, housing

220

Views

EVENTS

Webinars

08

Attendees

533

Speaking Events

11

SEPA Webinar

Rural Housing

SLE Webinar

DTAS and SURF Conferences

CAMPAIGNS

Strategic Plan
Sept

Publication of strategic plan – release, social media, animation.

LRR Protocols
July/August

Publication of protocols and guidance – release, social media, blog, partner channels, webinars.

COMING UP

- RLUPs
- Land ownership – legislative proposals
- Public meetings
- Myland campaign



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Commissioners' Meeting 3 November 2020

Paper 3

LAND RIGHTS AND RESPONSIBILITIES – PROGRESS AND NEXT STEPS

Purpose: To update Commissioners on our work relating to land rights and responsibilities.

Background

The Good Practice programme commenced in 2019 to clarify expectations over the practical application of land rights and responsibilities (LRR) and support landowners to undertake LRR activity. The Business Plan 2019/20 identified the Good Practice programme, protocols and casework as priorities and annex 1 has a short report on progress against these objectives.

The Strategic Plan and Programme of Work 2020-2023 identify LRR priorities as supporting voluntary action and strengthening the LRRS. A short-life working group was formed in August 2020 to examine options for taking forward work on land rights and responsibilities across SLC and informed the strategic plan and programme of work as well as providing further detail on priorities.

Current areas of work

The LRR work falls generally into five categories: protocols, self-assessments, training, casework and support work. These areas of work combine to provide us with multiple opportunities to engage with landowners voluntarily to change their practices and have gained the support of a growing range of stakeholders. Each strand of work provides us with opportunities to work proactively with landowning organisations and the programme as a whole gives us more traction than any one element individually.

Protocols

All seven of the LRRS protocols have been published with a range of supporting guidance and with the support of key stakeholder organisations who have been helpful in developing and disseminating the protocols. The Common Good protocol is currently at consultation stage. We delivered a series of four protocol webinars live in August and September to 327 people which are now also available online and generated significant interest in our other activities.

Training

An ongoing programme of workshops provide support for organisations to implement the protocols and other SLC guidance/toolkits appropriate to their

context. Workshops are delivered in partnership with key organisations, such as Scottish Land and Estates, Community Land Scotland, NFUS and Scottish Property Federation, or as in-house workshops for those with landownership responsibilities and/or with an influencing role, such as Cairngorms National Park Authority, Community Woodlands Association, Scottish Woodlands Trust, RSPB, Rural Housing Scotland and Aberdeenshire Council.

Self-assessments

The self-assessment pilot project is progressing well with 15 landowners expecting to have completed their self-assessment by December. We have had further interest but other organisations have found it difficult to commit or to complete assessments due to staff absences or pandemic response priorities. We recently introduced a peer-support group approach in addition to 1:1 support; the first cohort of 5 organisations taking the peer support approach will complete their self-assessments by December. Community Land Scotland have been contracted to deliver 8 self-assessments with their members, and we are looking forward to working in partnership with Scottish Land & Estates, Scottish Property Federation, NFUS, Cairngorms National Park and potentially others for future cohorts in Q4. The pilot is providing invaluable feedback on our self-assessment toolkit so that we can develop it as an effective and easy-to-use tool for landowners and managers across all sectors and in all areas of Scotland. The lessons learned and assessment of the effectiveness of the self-assessment template will be collated by March 2021.

Casework and enquiries

We had 6 cases in Q1, 22 cases Q2 (see annex 2) and 5 cases to date in Q3, reflecting the impact of the pandemic and then increased publicity through the protocol publication and associated webinars. We have recently updated our casework processes and recording to provide us with clarity over our approach to cases and better monitoring and evaluation information. In addition to casework which is undertaken in response to a request, we now proactively identify opportunities to work with landowners and/or communities in this way by utilising the SLC news monitoring services and our networks to identify potential cases. In these circumstances we get in touch with the parties involved to raise awareness of land rights and responsibilities and the protocols. We often recommend participation in the self-assessment pilot as a non-confrontational way of encouraging landowners to review their practices in general.

Support work

We provide a range of support to organisations seeking to implement our protocols, guidance, toolkits or recommendations, including those made by the policy and research team. This work is distinct from casework as it is not a response to an alleged breach of protocol. For example, we are supporting a local authority to use the Toolkit on 'Assessing the full economic benefits of the productive reuse of land', an enterprise agency to embed LRR conditionality in their funding programmes and a major landowner to review their approach to vacant and derelict land.

There is a useful synergy between these different strands of work. The protocols are providing a set of standard expectations agreed and promoted by major stakeholders; webinars and workshops promote and improve understanding of protocols and generate case work, self-assessments and support work; self-assessments are a non-confrontational tool for organisations to review their practices which allow us to give feedback; casework allows us to make specific recommendations on individual cases; and by providing targeted support we are able to implement and support others to implement recommendations from our good practice, policy and research work. Each member of the Good Practice team leads on an area of work which has allowed them to take greater leadership over their areas of responsibility and improved the effectiveness of the programme.

UPDATE ON PROGRESS FOR COMMISSIONERS

AIM: To support practical implementation of land rights and responsibilities.

2020-21 Activity	Outputs	Progress	Next steps
Deliver the Good Practice programme, building confidence and capacity in land rights and responsibilities.	Report on pilot self-assessment against Land Rights and Responsibilities	<p>Nine in-house self-assessments underway with organisations from public, private and third sector.</p> <p>Peer support approach in trial phase with 5 organisations.</p> <p>Partnership agreed with Community Land Scotland for a further 8 self-assessments. Partnerships in negotiation for 8 - 16 additional self-assessments.</p>	Pilot project report due end Mar 2021 on min. 20 self-assessments to include recommendations for statutory LRR assessment.
	Biannual meetings of good practice advisory group (GPAG).	Meeting held May 2020. Scottish Environment LINK recruited to GPAG Aug 2020. Active input from members into protocol development.	Meeting scheduled for Nov 2020.
	Programme of publications, training events and sector support.	Four workshops delivered to 150 people in partnership with Scottish Land & Estates,	Eight workshops planned for Q3 and Q4.

2020-21 Activity	Outputs	Progress	Next steps
		Cairngorms National Park Authority and Community Woodlands Association.	
Publication of Land Rights and Responsibilities Protocols.	Publish protocols and supporting guidance.	<p>Seven protocols directly relating to the LRRS Statement published. Common Good protocol underway.</p> <p>Public protocol webinars delivered Aug-Sept 2020 to 327 people. Recordings available online.</p> <p>Additional guidance published: FAQs for landowning charities and private trusts; Diversification route map for landowners; FAQs on diversification and negotiated transfer; Supporting information on good stewardship of land; FAQs on community engagement.</p>	<p>Publish Common Good protocol Dec 2020.</p> <p>Good Practice one-year review week on social media Dec 2020 to focus on protocols.</p>
	Route maps signposting communities and landowners where to access information on landowners and community groups	Information map for communities and information map for landowners both published Oct 2020.	N/A

2020-21 Activity	Outputs	Progress	Next steps
Casework to support effective delivery of community engagement and wider land rights and responsibilities	Ongoing case work and case studies.	Casework reporting mechanisms revised. Q1 – 6 cases; Q2 – 22 cases; Q3 to date – 5 cases. See annex 2 for more detailed report.	N/A

Annex two

Casework Report Quarter 1 & 2

We received a total of 28 new contacts in Q1 and Q2, of which 22 were in Q2. Contact mainly came from: landowners (8) who were looking for advice and support to help them implement protocols; and from individuals (7) and community organisations (5) who raised issues about land use and management in their local area.

Contact was made about a range of issues with most enquiries relating to community engagement (10). We also received contact about vacant and derelict land (5), negotiated transfer to communities (5), good stewardship (4), transparency (2) and diversification of ownership (2).

Enquiries

Enquiries are defined as contact that requires a response that provides information or signposts to another organisation.

14 contacts this quarter have been enquiries. The outcome for these has been the provision of support and advice, raising awareness of our good practice resources, or signposting to other organisations for further support and advice (mainly COSS, DTAS, and the Scottish Land Fund).

Casework

Cases are defined as contacts where we are notified of or identify an alleged breach of a protocol, which requires further investigation or additional action, including speaking with landowners and other stakeholders.

14 contacts this quarter have been cases. These relate to vacant and derelict land, community engagement, access to / acquisition of land, and good stewardship of land. 6 of these cases are a result of landowners getting in touch with us to ask for support.



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Commissioners' Meeting 3 November 2020

PAPER 4

EVALUATION OF WORK ON VACANT AND DERELICT LAND

Purpose: This paper seeks to inform Commissioners on the impact of the programme of work on vacant and derelict land to date, identify lessons for future projects and highlight implications for how we assess the impact of our work going forward.

1. Background

The Land Commission launched the vacant and derelict land work stream in June 2018. The work falls under the 2017-2020 Strategic Priority of Land for Housing and Development and contributes to our long term outcome of “a fall in the area of vacant and derelict land”.

At the start of the project Scotland had 12,435 hectares of vacant and derelict. The intention was for the work programme to provide a catalyst for addressing long-term land vacancy and dereliction in Scotland. In its mission statement, the Taskforce set out to “*Transform Scotland’s approach to tackling vacant and derelict land, create the conditions necessary for eradicating persistent dereliction in urban communities and realise the social, economic and environmental benefits of returning unloved derelict urban land back to productive use.*” The Vacant and Derelict Land project plan that was developed at the outset set the following objectives to help guide the project :

- build broad-based support for a concerted national effort to tackle the problem of dereliction by engaging proactively with local authorities, other public agencies and relevant organisations within the third and private sectors;
- work with planning authorities to identify why land is abandoned or left vacant, and understand the barriers to bringing it back into productive use;
- review current policies to identify and remove barriers for development on vacant and derelict land sites; and
- embed a more strategic approach toward tackling land dereliction at a national level and within key partner authorities.

The main deliverables from this project were to:

- establish a national taskforce with representation across the public, private and third sector that will take ownership of tackling the problem of long-term vacancy and dereliction;
- evidence on why land is left vacant/derelict for extended periods and the constraints to bringing it back into productive use;

- a national strategy for addressing long-term vacancy and dereliction that incorporates ambitious performance indicators; and
- firm and ambitious commitments from local authorities to delivering the strategy and reducing the extent of long-term land vacancy and dereliction in Scotland.

The Board was presented with a report covering the outputs of the work on vacant and derelict land at the September 2020 meeting.

2. Demonstrating Impact

The extent to which this project achieve its aims will of course depend on to what extent the recommendations are adopted by Government and other stakeholders. Stakeholders have been extremely supportive of the recommendations to date, with some beginning to take on an active role in promotion and delivery. There is also evidence that the recommendations and research undertaken to support the work of the Taskforce is influencing decisions about policy and practice. We are aware of ongoing discussions across multiple departments within Government about how to respond to the recommendations and we are confident that this will lead to further action in the near future.

However, physical regeneration does not happen quickly so it will take time, possibly years rather than months, before the full impact of this project starts to become apparent and there is a tangible reduction in the amount of urban dereliction in Scotland. In order to assess the impact of the project it is therefore necessary to look to more intermediate measures that will provide some indication of the magnitude of the longer term impact. Three types of measures are particularly helpful in this regard:

- examples of existing policies or practices have changed or where a clear intention for change has been publicly expressed by the relevant agency;
- the behavioural intentions of regeneration practioners;
- stakeholder perceptions on effectiveness and likely impact; and
- evidence of strategic added value to the Land Commission.

Evidence on each of these metrics is presented below.

2.1 Evidence of Policy Change

This section highlights the extent to which policies have changed or where an agency has indicated the intention to do more to address vacant and derelict land.

The box below provides some examples of recent policy statements issued by the Government and other public bodies that reflect an increased appetite to take action to tackle vacant and derelict land.

The *Renfrewshire Council Vacant and Derelict Land Strategy (2020)* makes specific reference to the work of the Vacant and Derelict Land Taskforce and demonstrates the impact of Land Commission-led stakeholder engagement with local authorities. This strategy supports the Renfrewshire Local Development Plan by prioritising the redevelopment of brownfield and previously used land to encourage sustainable inclusive economic growth.

The Scottish Government's Community Renewable Energy Scheme fund included vacant and derelict land as a theme for the call for community renewable energy projects thereby confirming a commitment to funding for community-led regeneration (June 2020).

The Social and System Recovery Group on Environments and Spaces, run by Public Health Scotland, includes recommendations to reuse vacant and derelict land in several of its publications. For example, *Scottish Health and Inequalities Impact Assessment Network: Health Impact Scoping of Managing Parks and Greenspaces Guidance* (July 2020) recommends that national and local policies should consider repurposing vacant and derelict land to open up other greenspaces for more uses to maximise the public benefits. The Land Commission is a member of the group and has raised awareness of the strategic links between public health outcomes and vacant and derelict land.

The *Economic Recovery Implementation Plan: Scottish Government response to the Advisory Group on Economic Recovery* (August 2020) recognises vacant and derelict land as an opportunity to support the economic recovery and progress towards a wellbeing economy. This document sets out a plan of action and helps inform the Programme for Government.

Protecting Scotland, Renewing Scotland: The Government's Programme for Scotland 2020-2021 (September 2020) states that Government will consider the Vacant and Derelict Land Taskforce recommendations and will explore the opportunities to invest in local blue and green infrastructure targeting problematic long-term vacant and derelict land, to deliver sustainable inclusive growth, and mitigate climate change as part of the Green Recovery. This is significant as it indicates that Government is minded to act on the recommendations.

Landscape Alliance's *Position Statement on Landscape and Health and Wellbeing* (September 2020) presents vacant and derelict land as an opportunity to address climate change. The Alliance is a grouping of 60+ organisations aiming to raise awareness of the importance of Scotland's landscapes. This is evidence that addressing vacant and derelict land has become a cross-sector priority.

Land reuse is a consistent theme in Architecture Design Scotland's (ADS) *Carbon Conscious Places* report (October 2020). This is significant as ADS is a key organisation promoting best practice in architecture, design and planning in Scotland. Therefore this reinforces the commitment to productive land reuse across built environment professions at a national level.

A round table event will be hosted by Scottish Renewables to discuss potential opportunities for renewable development on publicly owned vacant land. (November 2020).

2.2 Evidence of Behaviour Change

A key measure of success for the Land Commission is the extent to which our activity stimulates change. This is notoriously difficult to measure because change often takes a significant amount of time to happen and when it does happen it is usually as a result of several factors so attribution of effect to any particular initiative is challenging.

One way around this challenge is to measure the behavioural intentions of practitioners throughout a project. One of the main ways in which the Land Commission engaged with practitioners during this project was through seminars and events designed to share knowledge and influence practice. Such events offer an ideal opportunity to measure behavioural intentions on an ongoing basis.

Since the Taskforce was formed members of staff have spoken on related topics at more than 22 events attended by over 1,000 people. Our evaluation processes have evolved over this period so the picture we have of the impact of these events is incomplete; however, at more recent events we have been using post-event evaluation surveys that have included impact questions such as:

“Have you learned anything at today’s event that has given you any ideas about changes that your organisation could make to improve practice and deliver better planning outcomes?” and (where appropriate) “Do you intend to act on what you have heard today?”

Around 20% of those attending events were invited to participate in post-event evaluation surveys. The response rate to these surveys was 42% and of this 73% responded positively to the impact questions.

2.3 Stakeholder Perceptions

A recent post-evaluation survey was undertaken to gather views on the impact the project in the longer term from a small group of very experienced, well-informed regeneration professionals working in the regeneration sector and have well-established sector networks.

The stakeholder survey intends to measure the perceptions of informed stakeholders and contains a series of questions designed to explore their views on different aspects of the impact of the project. This feedback differs from event feedback which intends to gather information from professionals at an operational level, gauging the extent to which the work on vacant and derelict land has an impact on their own behaviour/ways of working.

The stakeholder survey included questions on the extent to which the recommendations, if implemented, will be effective in fulfilling the Taskforce mission statement, and the extent to which the Taskforce has helped to make constructive connections between individuals, organisations and areas of policy that might not otherwise have been made. Other impact questions included:

“To what extent do you think the Taskforce has succeeded in raising the profile of vacant and derelict land as a public policy priority?” and “To what extent do you think connecting land reform with regeneration policy has helped to stimulate progress in relation to vacant and derelict land?”

The response rate to the survey was 69% and it was possible to derive an overall impact score for the project of 76%.

2.4 Strategic Added Value

This section discusses how the project has helped to further its broader strategic objectives in relation to land reform above and beyond the specific aims of the project.

The work on vacant and derelict land has helped make land reform relevant to an urban audience. Evidence for this is found in the recent publication *Urban Crisis, Urban Hope: a Policy Agenda for UK Cities*:

In Scotland, where a proactive legislative programme of land reform has been firmly framed in terms of community empowerment and locally led social and economic regeneration, over half a million acres of land are in community ownership. While this has largely been a rural movement to date, the Scottish Land Commission is actively looking at how land reform can be enacted in an urban context, focusing in particular on the impacts on communities of vacant and derelict land and how it can be brought back into use in ways that serve the interests and needs of local people.¹

As a result of this project the Land Commission is working with stakeholders to promote a responsible approach to land reuse. This has enabled us to progress land rights and responsibilities in practice, particularly the stewardship principle, and deliver wider land reform objectives.

The Land Commission has been invited to participate in multiple working groups including the Social and System Recovery Group on Environments and Spaces. This is run by Public Health Scotland and brings together evidence on how the built environment and open spaces policies could respond to the crisis. The Land Commission has been able to make strategic links between land reform objectives and delivering against wider national policy aims such as public health outcomes.

The project has enabled the Land Commission to move on the land reform debate outside of Scotland and it has invited to join the Liverpool City Region Land Commission established in September 2020. The aim of this short-life commission is to improve the management and use of land in the region and it will review the use of public land for community wealth building.

3. LESSONS LEARNED

¹ Swade and Walton (2020) ‘Land and Displacement’ in Atkinson, R., Dobson, J. (eds) *Urban Crisis, Urban Hope: a Policy Agenda for UK Cities*, Anthem Environment and Sustainability Initiative

There are some key lessons for the Land Commission that should be taken into account for future workstreams.

In the final stages of developing recommendations, the entire policy team was involved in an extensive period of research, consultation and report writing. This was an effective way of working that maximised the skills and key strengths of the team. All members of the policy team have expressed their interest in replicating this approach in future projects as it instills subject knowledge, promotes team-working and enables connections to be made to other areas of work.

Going forward, the Land Commission should consider the benefits of working as a research team for an extended period of time in future work streams.

The Taskforce was an ambitious initiative with over 30 different members representing a range of views over a period of 2 years. Balancing different interests required thoughtful coordination and clear leadership on behalf of the Land Commission in order to drive forward and deliver against the objectives of the project. Leading and administering the Taskforce was more resource intensive than had been originally intended and was needed in order to progress on specific actions and maintain momentum between meetings. Comments were made about transparency between the role of the steering group and the wider taskforce which could have been avoided with a clearer remit of the Taskforce. Overall the Taskforce was successful in bringing together a range of sectors, experts and stakeholders that were able to champion reuse of Vacant and Derelict Land and whose feedback was invaluable in shaping the final report and recommendations.

To help manage stakeholder expectations going forward it is suggested that when setting objectives for major workstreams, the Land Commission should ensure that these are deliverable and the Land Commission's remit in delivery is defined.

Future stakeholder groups should have a clearly defined remit that is shared with all participants with pragmatic outputs and realisable ambitions.

The collaborative and cross-sectoral approach led by the Commission was crucial to the impact of the project and it was noted by stakeholders. In particular, the cross-sector steering group approach is now a model of working that will be replicated by other organisations.

The Commission should continue to consider innovative working arrangements such as partnerships, the creation of posts and secondments to continue cross-sector learning and delivery.

4. CONCLUSIONS

Overall, the Land Commission has been able to make an impact in putting vacant and derelict land on the national policy agenda. The project had ambitious objectives and has been able to demonstrate its value in shaping the policy and practice environment in order to strategically address a complex and long standing public

policy challenge. Through a robust programme of research, the development of a clear overarching narrative and innovative ways of working, it was able to demonstrate leadership and coordinate a Taskforce. This enabled the project to gain traction across different sectors and professions which is a prerequisite for successful regeneration.

Evidence suggest that this project has raised the profile of land reform and land rights and responsibilities in the urban context. The Vacant and Derelict Land Taskforce recommendations have the potential to build on multiple policy objectives including public health, the climate challenge and the economic recovery. It is yet to be seen whether this will lead to a significant fall in total area of vacant and derelict land in Scotland but we should be encouraged by the inclusion of vacant and derelict land in national policy statements and by active interest from public sector organisations to embed the land rights and responsibilities.

5. IMPLICATIONS

Undertaking post-project evaluations is good practice and a valuable exercise that does not take place enough within organisations. Going forward, the Land Commission will conduct post-project evaluations for future key workstreams. We intend to build on this and will develop specific impact Key Performance Indicators for the Land Commission based on the approach in this paper.

Commissioners are asked to:

- **note the impact that this work has had to date;**
- **note the lessons from this review for future work; and**
- **provide feedback on this approach for assessing major pieces of work and the implications for how we monitor the impact of the Commission.**

Kathie Pollard & Shona Glenn

November 2020