



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Meeting of the Commissioners

Tuesday 2nd February 2021, 11.00am
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 1 st December 2020	1	For agreement	Andrew Thin
2.	Audit and Risk Committee Report	2	For information	Lorne MacLeod
3.	Quarterly Progress Report <ul style="list-style-type: none">- Delivery- Finance- Risk Register- Communications	3 Annex A Annex B Annex C Annex D	For Discussion	Hamish Trench
4.	Quarterly Report on Land Rights and Responsibilities Casework	4	For information	Emma Cooper
5.	AOB			

Actions from Board Meetings - Update of actions to date

Action number	Date Raised	Context	Action Detail	Responsible	Date Required	Date Closed	Comments
20120101	01/12/2020	Concentrated Land Ownership	Staff to develop final paper for circulation to Commissioners in January and sign-off for publication by Andrew and Sally	Shona Glenn			Revised paper circulated and signed off by Andrew and Sally on 21st January. Publication scheduled for 4th Feb.



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**Commissioners' Meeting 2nd February 2021
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PAPER 3

Quarterly Progress Report

Purpose: To review progress for Quarter 3: October - December 2020

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

This report introduces a new summary format below, reporting against the Commission's agreed KPIs, in addition to the usual annexes.

	KPI MEASUREMENT	2020/21 TARGET	STATUS	PROGRESS
DELIVERY	Delivered 95% of outputs as identified in the annual business plans for the three-year period.	Delivered 92% of outputs identified in the annual business plan.	85%	85%
				10%
				5% postponed
				Annex A
	Measured an increase in the use of Land Rights and Responsibilities Protocols through case work and stakeholders	Establish a baseline and measure progress with a set target.	Ongoing	Being developed by the Good Practice Team.
STAKEHOLDER	Project evaluations identify impact and change in approach by stakeholders as a direct result of the Commission's work	Post evaluation surveys identify over 60% of respondents as acting on what they have learnt through event/engagement.	76% impact score for VDL project.	Project evaluation framework being developed for roll out across all work.

		Communications KPIs identified in the communications strategy and reported on annually.	70% of KPIs achieved	Annex E
STAFF WELLBEING &	Increase of 15% by 2023 of staff feeling valued and recognised for their work from the 2020 baseline in the annual staff survey	Increase of 5% of staff feeling valued and recognised for their work from the 2020 baseline in the annual staff survey	Ongoing	Annual staff survey to be issued February 2021
FINANCE	End of year outturn to be within 2% underspend of total allocated budget by 2023.	End of year outturn to be within 4% underspend of total allocated budget.	3.3% underspend	Annex B

The report comprises four annexes:

- 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 3 include:

- Publication of advice on regional land use partnerships;
- Publication of LRR Protocol on Common Good Land;
- Publication of tax reform scoping report and establishment of expert advisory group on tax;
- Publication of report on lessons from Europe in housing land allocation;
- Publication of TFC Code on conducting rent reviews.

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 provides a summary of our financial position at the end of Quarter 3. At this point our budget anticipates a likely end of year underspend of approximately 3 – 4%. Where spending plans have changed we have in general been able to bring forward other planned work to make good use of funds. However, our decision this month to postpone the MyLand

campaign due to the current lockdown means £34k has been returned into the available budget. At this point it is unlikely that all of that can be reprofiled and spent within this year.

c) *Audit and Risk*: The Chair of the Audit and Risk Committee will provide the board with an update following the ARC meeting on 1st February as a separate item. The updated Strategic Risk Register is provided at Annex C for consideration.

d) *Communications*: Annex D provides a summary of communications activity over Quarter 4 and a look ahead.

Other Updates

Covid-19 response

Further lockdown measures introduced in December mean that we have a reduced capacity in the immediate future, as staff manage caring responsibilities at home, particularly while schools are closed. We have reviewed everyone's situation individually through line managers to agree practical working arrangements for this time. While everyone's situation is different, overall we have a reduction in organisational capacity.

We have therefore adjusted work plans and timescales. We have put on hold the proposed 'Land Re-Use Week' that was scheduled for February and have postponed the 'MyLand' Campaign from February until the summer. This takes into account the likely receptiveness and ability of others to engage, as well as our own capacity. This means we are able to focus our resource on priorities which include proceeding with our planned outputs on concentrated land ownership and housing land, and supporting a significant volume of TFC work in the next 3 months.

We continue to attach high priority to staff wellbeing. Our winter wellbeing campaign is continuing and we are investigating other wellbeing training and support options. The results of the third staff wellbeing survey, carried out in November, are included in papers for the Staffing and Remuneration Committee.

Home Working

Scottish Government has advised its staff that they are likely to continue to work from home until April 2021, and we expect Longman House will remain closed until at least that point. We are planning on the same basis, to continue with all staff working from home under current arrangements.

In the meantime, following the Staffing and Remuneration Committee on 18th November, we are taking forward arrangements to give staff an option for permanent home working and blended home/office working so that we are in a position to offer longer term options when restrictions allow.

Organisational Review

A staff consultation on the first stage of the organisational review concluded on 22nd January and the Staffing and Remuneration Committee meeting on 2nd February will consider the feedback and next steps.

Annual Business Planning

The Scottish Budget is due to be introduced to Parliament on 28th January. We are unlikely to have final confirmation of our 2021/22 budget until into March, but will develop our annual business plan based on working assumptions. We intend to discuss a draft of the annual business plan at the Commissioners meeting on 2nd March, with a final plan for approval at the meeting on 6th April.

Staffing Update

Harriet Donald's secondment to the Commission comes to an end on 8th February and she will be returning to Loch Lomond and the Trossachs National Park Authority. Harriet has made a significant contribution to the Commission over the 12 months of her secondment, successfully delivering advice on regional land use partnerships during a very challenging year and contributing much more over and above this as a member of the team and colleague. Since completing our advice, over the last two months Harriet has worked directly with the Scottish Government team responsible for implementing regional land use partnerships to transfer our learning and support government in continued stakeholder engagement.

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	Planned Outputs	RAG	Delivery 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.		Complete: £50m funding announced, discussions underway about SLC role in implementation and Government developing cross-departmental policy response to recommendations.
	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.		Complete: work now underway with 6 community led projects. Discussions initiated about embedding learning with Government “Place Portal”
	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.		Practice guidance complete. Land Reuse event planned for 2021. Support being provided for selected organisations to use guidance and embed recommendations.

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.		Complete: Research complete and published July. Work underway to incorporate learning in Land for Housing review.
	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.		Work underway to develop recommendations and animation to support public engagement.

MODERNISING LAND OWNERSHIP

Workstream	20/21 Activity	Planned Outputs	RAG	Delivery 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.		Complete: publication of discussion paper on rationale for and approach to legislative reform scheduled for 4 th February.
	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.		Change of approach required meaning discussion paper will not be delivered. Work on policy interventions to support diversification proceeding through new project in 2021/22 business plan.

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 postponed due to Covid-19. No plans to progress in 2021 due to reprioritisation of work programme.
	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. Work now incorporated within new project on policy responses to support diversification.
	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 progress delivery of recommendations.		Groups remain suspended but SLC supporting improved sector collaboration through informal stakeholder engagement. Work on financing options for community ownership (ref PfG) planned for 2021/22.

LAND USE DECISION MAKING

Workstream	20/21 Activity	Planned Outputs	RAG	Delivery Progress
Land Rights and Responsibilities Good Practice	Deliver the Good Practice programme, building confidence and capacity in land rights and responsibilities.	Programme of publications, training events and sector support.		Self-assessments being progressed by Community Land

<p>Aim: To support practical implementation of land rights and responsibilities.</p>		<p>Report on pilot self-assessment against Land Rights and Responsibilities Biannual meetings of good practice advisory group.</p>		<p>Scotland (11 complete), Scottish Land & Estates (4 complete) and NFUS. 7 in-house self-assessments completed.</p> <p>GPAG meetings held Apr & Nov 2020.</p> <p>Training workshops held for 4 organisations.</p>
	<p>Publication of Land Rights and Responsibilities Protocols.</p>	<p>Publish Protocols and supporting guidance Route maps signposting communities and landowners where to access information on landowners and community groups.</p>		<p>Complete: All LRR protocols published including Common Good protocol. Webinars held on all protocols. Information map published.</p>
	<p>Casework to support effective delivery of community engagement and wider land rights and responsibilities</p>	<p>Ongoing casework and case studies</p>		<p>43 new contacts (28 last quarter) of which 17 related to vacant and derelict land.</p>
<p>Regional Land Use Partnerships</p> <p>Aim: To advise Ministers on establishing effective regional land use</p>	<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</p>	<p>Stakeholder engagement workshops; Report and advice to Ministers</p>		<p>Complete: Advice completed and submitted to Scottish Government.</p>

partnerships and plans.				
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.		Complete: Scoping report published, expert advisory group established, modelling work on initial reform options underway and recommendations planned for September 2021.

AGRICULTURAL HOLDINGS

Workstream	20/21 Activity	Planned Outputs	RAG	Delivery 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		TFC Code on rent reviews published Nov '20. SIs published for R&A. Advertised for TFC panel of valuers. Advice on amnesty on-going. Counsel's opinion sought on post-amnesty agreements. TFC advice on compensation for

				resumption submitted to SG.
	Casework associated with Codes of Practice.	Review of pilot mediation service		44 new contacts Oct-Dec '20. Mock Mediation event held Dec '20. Panel of mediators appointed Dec '20 & new TFC mediation scheme launched Jan '21.
	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		Guidance drafted by CES/FS. Case studies & analysis of legislation to follow.
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 Support development of the land matching service.	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-brexit. Support on-going for LMS. 4 'matches' made to date. Adviser has spoken to over 150 people.
Stakeholder Engagement	Facilitate the Tenant Farming Advisory Forum.	Biannual meetings		TFAF meeting 26 th Jan '21.

Aim: Identification and discussion of issues relevant to the development of the tenant farming sector



Date:21/1/2021										
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	0.00	0.00	0.00	0.00%	0	0.00	0.00%
CTRAINDEVELP	Commissioners training and developmen	Hamish Trench	3000	720.00	0.00	720.00	100.00%	705.88	14.12	1.96%
CTRAVELSUBS	Commissioners travel and subsistence	Hamish Trench	25000	500.00	200.75	299.25	59.85%	0	299.25	59.85%
FEES	Commissioners fees	Hamish Trench	60000	58000.00	43244.69	14755.31	25.44%	14415	340.31	0.59%
	Staffing									
PAYROLL	Staff payroll/on-costs	Hamish Trench	901838	826000.00	608639.63	217360.37	26.31%	213144	4216.37	0.51%
RECRUITMENT	Recruitment	Hamish Trench	2000	0.00	0.00	0.00	0.00%	0	0.00	0.00%
STAFFTRAVEL	Staff travel and subsistence	Hamish Trench	32000	200.00	41.19	158.81	79.41%	0	158.81	79.41%
TRAINDEVELOP	Staff training and development	Hamish Trench	16000	23000.00	20311.44	2688.56	11.69%	2600.12	88.44	0.38%
	Communications									
CAMPAIGNS	Communications campaigns and support	Posy MacRae	72988	87988.00	49296.91	38691.09	43.97%	0	38691.09	43.97%
DESIGN	Design and Printing	Posy MacRae	14500	17500.00	11302.20	6197.80	35.42%	1296	4901.80	28.01%
DIGITAL	Digital	Posy MacRae	15500	15500.00	6140.00	9360.00	60.39%	2425	6935.00	44.74%
EVENTS	Events	Posy MacRae	37000	4500.00	3324.26	1175.74	26.13%	704.4	471.34	10.47%
MONITOR	Communications monitoring and review	Posy MacRae	6400	6400.00	1480.00	4920.00	76.88%	3643.2	1276.80	19.95%
INTERNAL	Internal Communications	Posy MacRae	500	500.00	202.26	297.74	59.55%	0	297.74	59.55%
	Organisational Development									
CLIMATEACTIO	Climate Action	Posy MacRae	2000	1000.00	900.00	100.00	10.00%	0	100.00	10.00%
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	10257.48	4742.52	31.62%	3463.5	1279.02	8.53%
HSEQ	Health, Safety, Environment & Quality	Posy MacRae	1500	1500.00	429.85	1070.15	71.34%		1070.15	71.34%
INSURANCE	Insurance and bank charges	Posy MacRae	1600	1600.00	886.68	713.32	44.58%	75	638.32	39.90%
ITSERVICE	IT Service	Posy MacRae	51300	58000.00	45943.74	12056.26	20.79%	11095.54	960.72	1.66%
LEGALADVICE	Legal Advice	Posy MacRae	28800	28800.00	19200.00	9600.00	33.33%	9600	0.00	0.00%
OFFICEACCOMM	Office Accommodation	Posy MacRae	41500.00	41500.00	31105.62	10394.38	25.05%	9029	1365.38	3.29%
OFFICESUPPLI	Office Supplies	Posy MacRae	2000.00	2000.00	1989.22	10.78	0.54%	0	10.78	0.54%
ORGFINANPERF	Organisational Financial Performance	Posy MacRae	48210.00	49060.00	14325.00	34735.00	70.80%	29899.8	4835.20	9.86%
PERFEVALUATI	Performance Evaluation	Posy MacRae	7657	0.00	0.00	0.00	0.00%	0	0.00	0.00%
RESEARCHCAPA	Research Capacity Building	Posy MacRae	10200.00	1000.00	0.00	1000.00	100.00%	0	1000.00	100.00%
SUBSCRIPTION	Subscriptions and memberships	Posy MacRae	1205.00	1600.00	1444.99	155.01	9.69%	120	35.01	2.19%
	Agricultural Holdings									
GOOPRACTICE	Good Practice	Sarah Allen	5000	9600.00	0.00	9600.00	100.00%	9600	0.00	0.00%
IMPROVING	Improving Land Availability	Sarah Allen	20000	6900.00	3449.10	3450.90	50.01%	3400	50.90	0.74%
STAKEHOLDER	Stakeholder Engagement	Sarah Allen	8000	6560.00	6560.00	0.00	0.00%	0	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	25000.00	0.00	25000.00	100.00%	20400	4600.00	18.40%
REGIONALLAND	Regional Land Use Partnerships	Hamish Trench	36200	86749.00	70733.70	16015.30	18.46%	15527.49	487.81	0.56%
TAXFISCAL	Tax and Fiscal Policy	Shona Glenn	49000	82392.00	53172.00	29220.00	35.46%	29220	0.00	0.00%
	Land for Housing & Development									
VDL	Vacant and derelict land	Shona Glenn	68604	57219.00	44139.06	13079.94	22.86%	13051.2	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%	18000	2001.00	7.36%
PUBLICINTERE	Public Interest Governance and Models	Shona Glenn	20800	0.00	0.00	0.00	0.00%	0	0.00	0.00%
Totals			1655402	1552462.00	1064892.55	487569.45		411415.13	76154.32	

Total Committed 411415.13
 Spend to date 1064892.55
 Total 1476307.68
 Uncommitted 76154.32
 Total Percentage 4.91%
 Uncommitted against revised budget

Total Percentage uncommitted against grant in aid 3.26%

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 signed off by ARC. Project evaluation framework being developed	2	Apr-21	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	Static →	Averse	Working closely with IT service provider to ensure cyber security, cyber essentials achieved. Business continuity plan in place and recently updated to include risk of power outtages. Continuity arrangements effective in COVID-19 response. Cyber Incident plan approved 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, March 2021.	4	Mar-21	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	Jun-21	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	Static →	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. COVID-19 creates fluid environment. Balancing progress with limitation in SG due to COVID but clear statement of intent on role of land reform in economic thinking in Pfg.	3	May-21	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. Strategic plan launched with strong messaging and linking into recovery and renewal. Myland and Land Reuse postponed due to impact on capacity closely monitor and ensure comms still actively connecting work	2	Jun-21	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. Specialist advice groups established for tax and human rights	4	Mar-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	Static →	Open	Reprioritisation of work in SG due to COVID-19 reponse but land reform policy team now back in place with new Head. Regular sponsorship & policy team liaison in place, strategic plan aligned to the recovery stage. Strong links in with VDL - HT, SG Ongoing. Anticipating potential changes due to elections	4	May-21	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, 21/22 Internal Audit plan to be agreed including business continuity and staff wellbeing. Revised arrangements for finance and year end accounts in place for working from home. Preparatory work with Audit Scotland has begun. PM	1	Apr-21	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. Planning for 21/22 business plan in progress	1	Apr-21	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	Apr-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	Apr-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 October 2020 – 31 December 2020

MEDIA

195

Articles

137 96%

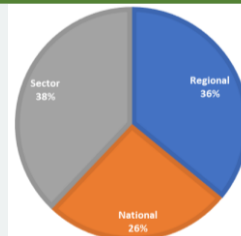
Land Commission generated

Positive coverage

46

Articles about TFC

Coverage breakdown



WEBSITE

9743

Visits

24% ↑

% change against previous quarter

2.2 2.2m

Average page views

Spent on site

3593

Blog views

- Look ahead land and economy blog series
- TFC
- Housing – lessons from Europe
- DTAS VDL project

Top pages: VDL / Our Work / News and Events

SOCIAL MEDIA

Followers



3599

Change to previous quarter

9% ↑

Total number of engagements

5341

% change against average for 2019/20

30% ↑

Highest number of impressions or reach for post

25676

£50m VDL fund



1087

5% ↑

610

20% ↓

1467

VDL Taskforce recommendations



320



VDL Taskforce

227 Views

EVENTS

Public Meetings

03

Attendees

127

Webinars

05

Attendees

189

Speaking Events

19

Scottish Contaminated Land Forum

NFUS RLUP

SCDI Forum

UK Ministry of Communities

CAMPAIGNS

VDL Recommendations Oct
Publication of taskforce recommendations – Exclusive with BBC and Herald, general release, social media, film, stakeholder support

Tax Report and Group December
Publication of report and launching advisory group – opinion piece, release and social media.

COMING UP

- Concentrated land ownership paper
- Land for housing recommendations
- National Student Award
- Public meetings

Myland campaign postponed



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Commissioners Meeting

2 February 2021

Paper 4

Quarterly Report on Good Practice Casework

Purpose: To update Commissioner's on Good Practice enquiries and casework handled 30th September to 31st December 2020

Definitions

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

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.

Enquiries and Casework from Previous Quarter

We received a total of 43 new contacts in this quarter.

Contact mainly came from: individuals (12) who were looking for advice and support in relation to vacant and derelict land and accessing or acquiring land; and from community organisations (11), many of whom got in touch during the DTAS virtual conference raising issues about acquisition of land and buildings. We also had contact from: landowners (7) following up on letters about DUSTE sites and looking for advice on land registration and community engagement; businesses (6) in relation to vacant and derelict land and intermediaries (4); public bodies (2) about vacant and derelict land and Common Good; and a charity (1) looking for advice on remote community engagement. Contacts have mainly been in relation to land owned by private landowners (21) and by public bodies (10).

Contact has come from 19 local authority areas, with Highlands (9) and North Ayrshire (5) being the most common locations. We received 17 contacts from the Highlands and Islands, 2 from the South of Scotland Enterprise area, 21 from the rest of Scotland, and 3 were unknown.

Contact was made about a range of issues with most enquiries (17) relating to vacant and derelict. The majority of those who got in touch about vacant and derelict land did so as a result of making direct contact with owners of DUSTE sites. We also received contact about community engagement (7), diversification of ownership and tenure (6), Common Good (4),

legislative routes to ownership (4) – all relating to asset transfer, negotiated transfer to communities (3), good stewardship (1), and transparency (1).

34 contacts this quarter have been enquiries. The outcome for these has been the provision of information, support and advice, raising awareness of our good practice and vacant and derelict land resources, or signposting to Scottish Government or local authorities for further support and advice.

9 contacts this quarter have been cases. These relate to: diversification of ownership and tenure, vacant and derelict land, and community engagement. 6 of these cases are a result of landowners getting in touch with us to ask for support. In addition, as a result of our casework we have made contact with: Church of Scotland, North Ayrshire Council, Fife Council, Scottish Borders Council and Highlands and Islands Enterprise. We have also had further contact with Forestry and Land Scotland, Woodland Trust, SEPA, and Network Rail, resulting from cases reported in previous quarters.

We are continuing to work with Forestry and Land Scotland and Network Rail to explore carrying out Land Rights and Responsibilities self-assessments and workshops for their staff on the protocols and our Good Practice work. We have held or have scheduled workshops with RSPB, Woodland Trust, Scottish Property Federation, and the Agriculture and Rural Economy Directorate. We are also continuing to support East Ayrshire Council to use our Guidance on Assessing the Full Economic Benefits of the Productive Reuse of Land which they intend to use to support their case for development of vacant and derelict land in South Central Kilmarnock.

Table 1: Good Practice:

Contact organisation	Date	Locality	Landowner type	Issue	Status	Comments
Individual	Oct-20	East Renfrewshire	Private	Vacant and Derelict Land	Resolved	Landowner is pushing for the site to be identified as VDL on register and as a development site within the Local Development Plan but the Council believe site has naturalised and performs a function as urban green space. Advised landowner that this is an issue to be taken up with local authority.
Community organisation	Oct-20	Highland	Church	Diversification of Ownership and Tenure	Resolved	Community who wished to purchase a property raised issues with timescales and asking price of £200k compared to open market value of £140k. As a result of contact the owner has extended the closing date to assist the community in raising funds and negotiated on price.
Public Body	Oct-20	Scotland Wide	Public body	Vacant and Derelict Land	Active	Contacted regarding support for putting the VDL recommendations into practice and wider review of LRR.
Charity	Oct-20	Highland	Charity	Community Engagement	Resolved	Looking for advice on remote engagement during pandemic.
Landowner	Oct-20	Highland	Private	Transparency	Resolved	Enquiry about checking registration of titles for newly purchased estate - signposted to legal advice and / or ScotLis enquiry service
Landowner	Oct-20	Highland	Private	Community Engagement	Active	Previous contact updating on community engagement during pandemic for a proposed new community woodland. Potential case study

Intermediary	Oct-20	Moray	Public body	Common Good	Active	Intermediary contact about community organisation lease of common good land. Issue with rent being raised substantially at rent review.
Individual	Oct-20	Scottish Borders	Public body	Community Engagement	Resolved	Case about proposed school build. Part of site will be on an existing local park. Neighbouring resident raised concerns about Common Good status (confirmed park is not CG) and community engagement. Recommendations made to LA.
Individual	Oct-20	Location not disclosed	Unknown	Vacant and Derelict Land	Resolved	Enquiry about whether an individual can get derelict land to regenerate and inhabit, and if so, is there funding available to this.
Individual	Oct-20	Highland	Unknown	Diversification of Ownership and Tenure	Resolved	Request for information regarding land ownership and family sized development with aim of contributing to the conservation and stabilization of a local community.
Business	Oct-20	Angus	Public body	Common Good	Resolved	Enquiry from community who lease derelict Common Good site from local authority. Looking for longer term lease to enable investment in site.
Community organisation	Nov-20	East Dunbartonshire	Public body	Diversification of Ownership and Tenure	Resolved	Contact through DTAS conference marketplace. Issues with asset transfer (local authority not supportive).
Community organisation	Nov-20	Argyll & Bute	Public body	Diversification of Ownership and Tenure	Resolved	Contact from DTAS online conference marketplace appointment. Group looking to purchase land to develop a small number of affordable housing units (up to 3) and complete paths network. Issues with asset transfer process.
Community organisation	Nov-20	North Lanarkshire	QLTR	Vacant and Derelict Land	Resolved	Ownership enquiry relating to potential community use of apparently VDL site.

Community organisation	Nov-20	Moray	Private	Negotiated Transfer of Communities	Resolved	Contact from DTAS online conference Marketplace appointment. Group having issues with one landowner refusing to consider transfer of a small strip of land at edge of a field for coastal cycle path.
Community organisation	Nov-20	Shetland Islands	Community	Community Engagement	Resolved	Contact from DTAS virtual conference Marketplace appointment. Group raised questions about engagement during pandemic.
Community organisation	Nov-20	Glasgow City	Community	Diversification of Ownership and Tenure	Resolved	Contact from DTAS online conference Marketplace appointment. Discussion to share experiences of asset transfer negotiations with GCC.
Business	Nov-20	Location not disclosed	Public body	Diversification of Ownership and Tenure	Resolved	Enquiry about purchasing land from Scottish Government. Signposted on.
Business	Nov-20	South Lanarkshire	Unknown	Vacant and Derelict Land	Resolved	Enquiry about reusing vacant and derelict land. Signposted and shared resources.
Individual	Nov-20	Na h-Eileanan Siar (Outer Hebrides)	Private	Good Stewardship	Resolved	Enquiry about empty homes legislation. Signposted. Case closed.
Community organisation	Nov-20	City of Edinburgh	Public body	Common Good	Resolved	Enquiry about CG work and publication of protocol.
Landowner	Nov-20	North Ayrshire	Private	Vacant and Derelict Land	Resolved	Follow up to DUSTEs contact providing more information about sites and contact details.
Community organisation	Nov-20	Glasgow City	Public body	Legislative Routes to Ownership	Resolved	Follow up contact from DTAS conference to discuss asset transfer process with local authority.

Individual	Nov-20	North Ayrshire	Private	Vacant and Derelict Land	Resolved	Follow up to DUSTE letter asking for further information about site and letting us know that the named contact is now deceased.
Community organisation	Nov-20	Highland	Private	Negotiated Transfer of Communities	Resolved	Enquiry about building that community wishes to acquire. They have been negotiating with one person for a couple of years but after getting a copy of title found out someone else was named on it. Info on routes to ownership provided.
Intermediary	Nov-20	Argyll & Bute	Community	Community Engagement	Active	Request for support to facilitate better engagement / collaboration between community landowner and local community.
Individual	Nov-20	North Ayrshire	Private	Vacant and Derelict Land	Active	VDL site causing issues with fly-tipping and vermin. Ongoing contact with local councillors re CPO but no progress. Complicated title for site (multiple owners / access rights) being cited as issue.
Individual	Nov-20	Aberdeenshire	Private	Vacant and Derelict Land	Resolved	Enquiry about finding out about ownership of local VDL site with aim of local enterprise taking ownership and developing site.
Landowner	Nov-20	South Lanarkshire	Private	Vacant and Derelict Land	Resolved	Enquiry following DUSTE letter, asking for information on funding and support available to bring site back into use.
Intermediary	Nov-20	East Ayrshire	Private	Vacant and Derelict Land	Resolved	Follow up from DUSTE letter asking for further information about site location.
Intermediary	Nov-20	Highland	Mixed	Community Engagement	Resolved	Contact to share update on early engagement process during COVID-19 as a potential case study.
Business	Nov-20	South Lanarkshire	Private	Vacant and Derelict Land	Resolved	Follow up to DUSTE letter to say land has been sold.

Business	Nov-20	North Ayrshire	Private	Vacant and Derelict Land	Resolved	Response to DUSTE letter to inform us that site has been sold to another organisation.
Community organisation	Nov-20	Highland	Private	Community Engagement	Active	Concern over lack of engagement over extension of commercial operations and impact this will have on offshore activities i.e. fishing community.
Individual	Nov-20	Highland	Private	Diversification of Ownership and Tenure	Resolved	Contact about issues with local landowner(s) over a proposed path development.
Landowner	Dec-20	West Lothian	Private	Vacant and Derelict Land	Resolved	Follow up to DUSTE contact advising that land is being actively managed.
Public Body	Dec-20	Dumfries & Galloway	Public body	Common Good	Resolved	Enquiry about whether it is required for local authorities to pay rent for use of Common Good buildings.
Landowner	Dec-20	North Ayrshire	Private	Vacant and Derelict Land	Resolved	Follow up from DUSTE letter to say that the site has planning permission for housing and has been cleared for building works so should not be on the list.
Landowner	Dec-20	Angus	Private	Vacant and Derelict Land	Resolved	Contact interested in SG VDL funding announced in December.
Individual	Dec-20	Location not disclosed	Unknown	Diversification of Ownership and Tenure	Resolved	Enquiry about buying land for hutting.
Business	Dec-20	South Ayrshire	Private	Vacant and Derelict Land	Resolved	Contact interested in SG VDL funding announced in December.
Individual	Dec-20	Argyll & Bute	Private	Diversification of Ownership and Tenure	Resolved	Community want to use some estate land for growing. Land is currently unused. Difficult to know who to engage with at the estate.

Individual	Dec-20	Shetland Islands	Church	Diversification of Ownership and Tenure	Active	Enquirer wants to purchase property for community use. Landowner has set a closing date which means the community do not have time to pursue their plans.
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