



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Minutes of the meeting of the Scottish Land Commissioners held on Tuesday 9th May 2023 at Balmaclellan, Galloway

Commissioners Present: Andrew Thin (Chair), Sally Reynolds, Lorne MacLeod, Megan MacInnes, David Adams (Land Commissioners), Bob McIntosh (Tenant Farming Commissioner)

In Attendance: Hamish Trench, Emma Cooper, Nikki Nagler (Scottish Land Commission),

Apologies: No apologies.

Declarations of interest: No declaration of interest.

1. Minutes of previous meeting 2nd March 2023

The minutes were agreed as a true and accurate reflection of the discussion.

There are no outstanding Matters Arising.

2. Natural Capital and Land – policy advice and guidance

Hamish introduced the paper noting the intention to publish policy advice and guidance at the same time. He flagged the need for pragmatic guidance that informs investment that is happening now, as well as the need to address more far-reaching policy questions about the interaction of natural capital and land reform.

The board agreed the proposed publication of guidance and policy advice. The board also noted the relevance of the discussions held on the Galloway visit with stakeholders that highlight the risks and challenges of the fast pace of land use change.

In particular the board asked that the advice:

- Sets out clear and bold messages about what is needed;
- Articulates the underlying need for regulation to shape the market – acknowledging that the market is already shaped by public policy, noting parallels with the housing land market as an example;
- Considers what steps the Commission can take in our future work programme;
- Articulates why this current context reinforces the need for the measures proposed for the land reform bill;

The board discussed and agreed that the use of greater discretion and conditionality in the way forestry grants are offered is likely to offer one of the most effective levers to require community benefit or other public benefit outcomes, and that this could help temper speculative land values.

The board considered the role of tax and asked that our recommendations on tax are developed further to acknowledge that when high land values are realised, that value is extracted by a seller, therefore capital taxation would be the logical policy lever. The board recognised the limitations of devolved powers and existing reliefs but considered the advice should address this.

The board also asked that the advice addresses the need for political leadership in the direction of land use change and, for example, the way Regional Land Use Partnerships can provide a clear framework. The board considers that current trends in the land market make it even more necessary to develop clearer long term direction and integration of land use planning, to guide investment, reduce speculation and increase accountability.

The board agreed the proposed scope of the Guidance publication and asked that it sets out clear unambiguous expectations.

The board agreed to delegate sign-off of the policy advice to Andrew, and the Guidance to Sally ahead of the next board meeting in order to progress with publication plans.

3. Strategic Plan – proposed structure

Hamish introduced the paper proposing the structure of the strategic plan and asked the board to consider particularly the vision and three high level outcomes.

The board raised the following points for consideration in developing the plan:

- That it would be useful to refresh the vision to ensure it feels up to date and bold;
- A challenge on whether the outcomes sufficiently capture the scope of urban land reform opportunities; Hamish undertook to ensure this is addressed in how we set out the focus of our work in relation to these outcomes;
- That the substance of the three outcomes is appropriate but the language should be sharpened and presented in a way that stakeholders will be able to see the relevance to them;
- In particular the proposed outcome on people being able to engage and benefit from land use decisions should be framed more ambitiously, to reflect an expectation of influence as well as engagement.

The board agreed the proposed structure of the plan, noting the need for it to communicate a bold, ambitious and relevant agenda for the Commission.

4. Quarterly Report

The board noted the Quarter 4 report for 2022/23. In particular the board:

- Welcomed the successful delivery against planned outputs;
- Questioned why the output on LRRS engagement in the development sector had not been delivered. Hamish explained that initial discussions with stakeholders in the sector had shown limited appetite for voluntary engagement in this way. Taking it forward would have required greater staff resource than was available so other actions were prioritised.
- Noted the financial out-turn is outside the 2% target due to changes in Quarter 4 on a small number of contract completions.
- Asked for an update at the next board meeting on how work on diversification of ownership and governance will be taken forward.

Action 23050901	Update on diversification of ownership and governance to be included in next board meeting agenda.
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5. Audit and Risk Committee Annual Chair's Report

Megan introduced the annual Chair's report for the Audit and Risk Committee. She noted that two reports were provided: the report for 21/22 which would normally have been provided in late 2022, and the report for 2022/23 provided at the same time.

The board reviewed the reports on the scrutiny and work of the ARC and thanked ARC members for their continued work and reporting to the board. The board also noted the need to plan for succession in the chairing of the ARC ahead of the end of 2023.

6. Staff survey feedback

Nikki introduced the paper highlighting feedback from the most recent staff survey, its comparison with previous surveys and the follow actions being taken. Nikki outlined the follow up actions including a specific meeting of the Staff Engagement Forum to discuss the feedback and identify actions. She also outlined wider changes in approach to the way the Staff Engagement Forum operates, the ways we use staff meetings and other internal communications improvements.

The board welcomed the proactive follow-up in place and in particular the focus on improving internal communications. The board asked whether hybrid working remains a challenge in building communications and culture. Nikki outlined the approach being taken to encourage and support productive use of office time by staff, noting this will remain an approach we keep under review and develop.

Nikki also confirmed that the format of the staff survey will be updated given some of the current questions have proved to provide limited value to both staff and the organisation. An updated survey format will be used for the next survey.

7. Communications Update

Nikki provided a brief update on current and planned communications. The board welcomed the recent increase in communications outputs and the communications plans ahead. The board reflected on the fast moving context in which we're working and the importance of communications being able to convey both the well-considered and evidence-based approach to our work with clarity and boldness in our messages.

AOB

No items of AOB were raised.

Date of Next Meeting: 6th June 2023, Perth

**Scottish Land Commission
May 2023**