



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Commissioners' Meeting
03 September 2024, Online, 09.30am.

A G E N D A

Item no	Item	Paper no	Action	Lead
	Welcome/Apologies			
	Declarations of Interest			
1.	Minutes of the previous meeting	1	For agreement	Chair
2.	Commissioners Updates	Verbal Briefing	For information	Commissioners
3.	CEO Update - Scottish Government spend controls	Verbal Briefing	For information	Hamish Trench
4.	Audit and Risk Committee Chair's 23/24 annual report	2	For information	Lorne Macleod
5.	Review of Convened Groups	3	For agreement	Hamish Trench
6.	Scottish Land Commission conference evaluation report	4	For information	Hamish Trench
7.	AOB			

*Following the board meeting there will be a discussion on the land reform bill (scope of holdings), a short briefing paper to be circulated separately.

*This will be followed by a Staffing and Remuneration meeting for which a separate agenda and papers will be sent out.



SCOTTISH LAND COMMISSION
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Minute of the meeting of the Scottish Land Commissioners held on Tuesday 2 July 2024 online

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

In Attendance: Hamish Trench, Emma Cooper, Nikki Nagler, James MacKessack-Leitch, Kathie Pollard, David Stewart, Andrew Megson.

Apologies: None

Declarations of interest: Lorne noted that in respect of any reference to collaboration with Crown Estate Scotland he is due to take up post as a board member of Crown Estate Scotland from 1st September.

1. Minutes of previous meeting 12 June 2024

The minutes were agreed as a true and accurate record of the meeting. Kathie gave an update on action on tax to confirm that in a subsequent meeting with Scottish Government we have agreed to work together with them to review the Commission's 2022 tax recommendations, responses to the question on tax in the land reform bill consultation, and consideration of the proposed carbon land tax.

2. Commissioners Updates

Commissioners gave updates on key activities and events attended on behalf of the Commission since the last meeting.

3. Land for Rural Housing

David introduced the paper, and the report commissioned from University of Glasgow. Commissioners welcomed the report, noting it provides substantive analysis and evidence to inform possible actions. The board discussed a number of questions arising from the report including:

- The impact of concentrated land ownership and links to the land reform bill in the recommendations;
- Whether it is already clear where priority areas to target support for Local Place Planning would be;

- Examples of where the recommendation to better use income from land-based activities to support housing delivery would be most relevant and viable.

The board welcomed the recommendations and endorsed these as the focus for the Commission to explore potential action with partners. The board discussed the importance placed on the potential role of a national agency with land assembly powers and functions. Noting the challenges associated with a new national agency proposal, the board agreed it remains an important recommendation that the Commission should continue to propose, while also exploring flexible approaches that could be delivered through existing bodies or regionally.

The board agreed that the report should be shared with key partners as the basis to discuss potential actions, that a roundtable discussion with partners should be reconvened, and that the report should be published together with proposals for action once agreed.

Action 24070201	David to share report with key partners and set up necessary bilateral and roundtable discussions
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4. Advice on Natural Capital Market Framework

The board agreed the Commission should provide advice as requested to Scottish Government to inform development of the natural capital market framework. Commissioners noted there remains a range of both concerns and opportunities in relation to the role of natural capital investment and its interaction with land reform. These include issues of confidence, assurance and governance, implications for land value and land ownership, as well as opportunity for income, jobs and value creation in rural Scotland.

The board agreed the proposed scope for the Commission's advice as set out in the paper, noting our advice should:

- Consider links to the bill proposal for land management plans and their potential role in relation to disclosure and transparency;
- Address the need for a balanced policy approach to using private finance, public finance and regulation as tools to deliver on land use change objectives;
- Emphasise simple, practical approaches that will deliver practical benefit;
- Address the need to build confidence that community benefits will actually be realised and (where financial) be paid as intended, given scepticism arising from windfarm community benefit payments;
- Strongly support the need for more integrated and joined-up land use policy and decisions, and the opportunity regional land use partnerships offer to do this well.

The board emphasised the importance for the Commission of maintaining a focus on the wider picture beyond simply government's objective to attract private finance and to advise on practical ways to ensure policy alignment with land reform and other rural policy objectives.

The board agreed that staff should proceed to provide advice within this scope and share the advice submitted with the board for information.

Action 24070202	Hamish and Emma to co-ordinate advice to Scottish Government and circulate submission to the board.
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5. Quarterly Report

The board noted delivery is well on track for the first quarter of the year and agreed to postpone the planned work on Common Good in the business plan in order to release more staff time to support advice on the land reform bill.

The board noted budget management appears on track at this early stage in the year. Commissioners asked for more context to the risk identified as increasing (ability to adapt to changing priorities). Hamish explained this is a combination of a dynamic external environment with the land reform bill and several other areas where the Commission's advice is sought, together with a tight budget resulting in limited flexibility in this financial year.

The board welcomed the continued communications profile, noting in particular the positive progress in social media.

6. Confidential item

The board discussed a confidential item in line with the casework policy.

7. AOB

Coigach/Badentarbert Estate – the board discussed the current situation at Coigach in respect of the community seeking to acquire parts of the estate being sold. The board noted the relevance to learning for the review of Community Right to Buy and the land reform bill and asked staff to consider this example when looking at how proposed bill measures can work best.

Future board meetings – the chair proposed an outline plan for the 2025 meeting programme to include two board visits, 3 online meetings and 4 meetings in Inverness.

The next board meeting on 3rd September will be held in Thurso, with an open public meeting to be held the evening before. Full arrangements will be circulated.

Next meeting 3rd September 2024



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Commissioners Meeting 3 September 2024 Online

Paper 2

2023/24 Annual Report from the Chair of the Audit and Risk Committee

Purpose:	To provide annual update
Action required:	For information

The Audit and Risk Committee met four times during 2023/24 in June 2023, September 2023, November 2023 and February 2024, with full attendance at each meeting.

In 2023/24, the Committee focused its work on:

- Scrutiny of financial management and budget monitoring
- Internal audit reviews: financial processes, strategic planning and a follow up on previous audit report recommendations.
- Arrangements for external audit and scrutiny of annual report and accounts.
- Scrutiny of the strategic risk register and risk management and undertaking a process of additional risk interrogation of individual risks.
- A consideration of the Commission's risk appetite and how this applies to its scrutiny of the risk register and risk interrogations.
- Reviewing key performance indicators across the key business areas of finance, staff wellbeing, delivery and communications;
- Considering the Commission's medium-term and long-term financial strategy.
- Discussing and reviewing revisions to the Scottish Land Commission's complaints disclosure & review process.
- Cyber resilience and the Cyber Essentials Plus accreditation attained by the Commission.

Megan MacInnes was chair of ARC until 2 October, with Lorne MacLeod taking over as Chair on 3 October. Deb Roberts and Craig MacKenzie attended their first ARC meeting in February 2024, replacing Megan MacInnes and Michelle Ashford.

Internal and external auditors were present at all meetings. Each meeting considered scrutiny of financial management and budget monitoring, risk review and the outputs of planned internal audit reviews. At each meeting the CEO provided a governance update to the Committee.

The Committee operated in line with the Terms of Reference for the ARC and the Chair of ARC provided a written report to the Board at the meeting subsequent to the date of the ARC meeting.

The Committee can confirm that there were no instances of actual, suspected or alleged fraud found in 2023/24 and hence there is no need for a full fraud report.

The Committee agreed priorities for the internal audit plan for 2024/25, being health and safety, IT general controls and a follow up on previous recommendations.

The Committee shall consider the implications for the Commission of the new Global Internal Audit Standards that take effect from April 2025.

Lorne MacLeod
Chair, ARC
15th August 2024



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PAPER 3

Review of stakeholder groups convened by the Commission

Purpose:	To agree actions on stakeholder groups following review
Previous board papers:	N/A
Action required:	For agreement

Background

The Commission currently convenes five standing stakeholder groups as set out in the table below. The board agreed to review the operation of these groups, given the need to ensure the Commission remains able to adapt to changing priorities and use limited staff resource to best effect.

While the Commission also participates actively in a wide range of other forums and groups, these are the five convened by us.

The management team has reviewed the current operation of the groups to consider any changes in context and the proposed actions are set out in the table below for agreement by the board.

Group	Purpose	Operation	Proposal
Tenant Farming Advisory Group	Brings together tenant farming stakeholders	Qtly meetings, chaired by TFC (+ ad hoc meetings eg re bill)	Continue on current basis (ongoing need clear incl LR Bill)
Good Practice Advisory Group	Brings together key membership bodies to support delivery of Good Practice Programme	Chaired by Sally Reynolds. Was quarterly, recent review within group confirmed continued appetite and proposal to meet twice/year	Continue with revised meeting schedule (ongoing value in supporting LRRS delivery)
Community Land	Provides forum to collaborate in	Chaired by Lorne MacLeod.	Continue on current basis (ongoing need

Leadership Group	development of community land ownership	Meets quarterly online	clear incl CRTB review and LR Bill)
Land & Human Rights Advisory Forum	Expert forum to provide advice on human rights matters in relation to the Commission's work	Chaired by Malcolm Combe (Partnership with Uni of Strathclyde) Meets quarterly	Revise arrangements for human rights advice and end current forum approach (provided valuable role ahead of LR bill, context now changing)
Community Benefits Advisory Group	Brings together national focus on community benefits from land to embed new expectations and share practice	Chaired by CEO. Meets 6/year online	Continue for 24/25 to support current work then review how best to embed ongoing collaboration.

The board is asked to agree the proposed actions.

Hamish Trench

CEO



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Online

Paper 4

Conference evaluation report

Purpose:	To provide an evaluation of the Scottish Land Commission conference.
Previous board papers:	N/A
Action required:	For information

1.0 Overview

This paper provides an evaluation of the recent Scottish Land Commission conference – *Pioneering Possibilities: Shaping Scotland's Future Through Inclusive Land Ownership* – that took place in Aviemore of June 13. This was the fourth conference hosted by the Commission and the first in-person conference since 2019 following an online conference in 2021.

During the conference staff encouraged attendees to complete a paper feedback form with the results later collated alongside an electronic survey that was circulated the week following the conference. The survey received 61 responses in total, approximately 40% of attendees.

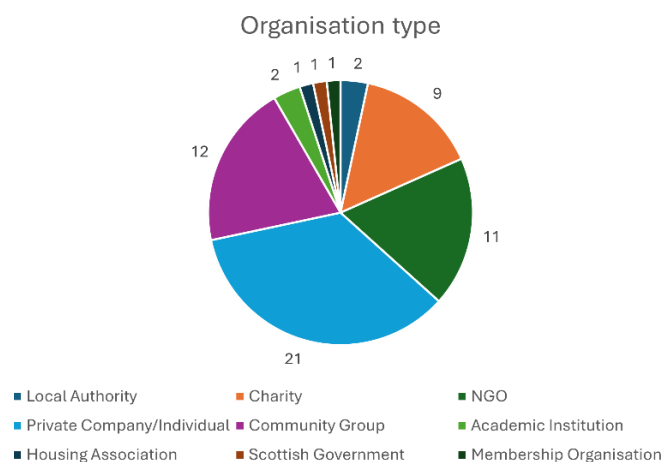
- 88% of the feedback was gathered on the day through the feedback form
- 26 people (42% of responses) opted into our mailing list via the feedback form
- 57% of responses were provided anonymously.

2.0 Attendees

Registration was opened on April 16 and was initially shared with subscribers on the Commission mailing list with 86% of tickets registered in this initial release. All tickets registered in the first 24 hours following posts on social media and a further 50 tickets were released to a waiting list.

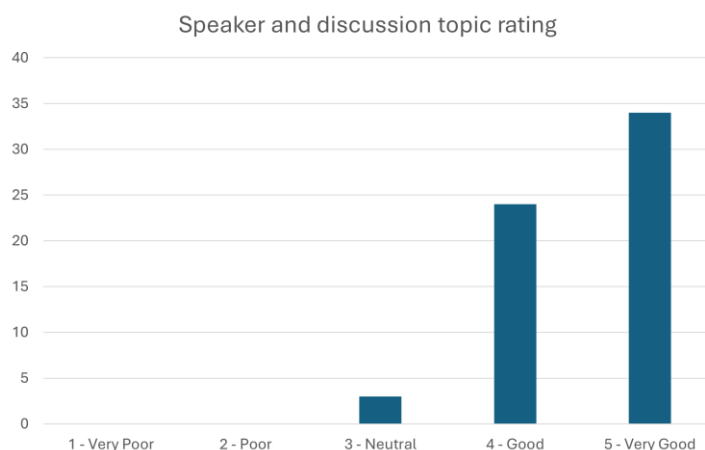
Whilst the majority of tickets were registered to people who are engaged with the Commission through our mailing list (48% of feedback respondents said this was how they had first heard about the conference), 68% of those that responded to the feedback form indicated that this was the first time they had attended a Commission event.

The composition of the audience demonstrated the cut through of this event, with a broad range of organisations and community groups represented on the day.



3.0 The programme and speakers

The programme for the conference was designed to offer attendees the opportunity to engage with the Commission on a wide range of topics under the banner of inclusive landownership. Attendees could opt to join one of three breakout groups following the morning plenary session, repeating this format in the afternoon before convening all attendees to the main conference suite for a closing panel. The Commission engaged with a wide range of organisations when recruiting speakers for the event with speakers from the Crofting Commission, Woodland Trust Scotland, Community Land Scotland, Scottish Land and Estates, Highland Housing Alliance and Crown Estate Scotland, amongst others. There was a total of 25 external speakers and seven speakers from the Commission staff and board. 54% of the total speakers were women, an increase of 15% from the conference in 2021. 100% of respondents said that the conference met their expectations for the day and there was a positive response from attendees to the conference programme.



This was also reflected in written feedback from attendees:

“Fascinating speakers, reinforcing my thinking and learning new things.”

“The variety of issues discussed and the diversity amongst delegates.”

“Each session helped build a picture.”

Whilst the majority of feedback on the programme was positive, a recurring theme emerged in the comments of attendees feeling that the sessions ran short on time and didn’t always allow for an opportunity for questions. Attendees also suggested that time between sessions

they would have allowed for more for networking, something that was seen to be a valuable part of the in-person format:

“Double the time, double the capacity. Allow slightly more time for conversations between delegates, perhaps even facilitated opportunities for conversations.”

“Could have been two days to give more participation and reflection time.”

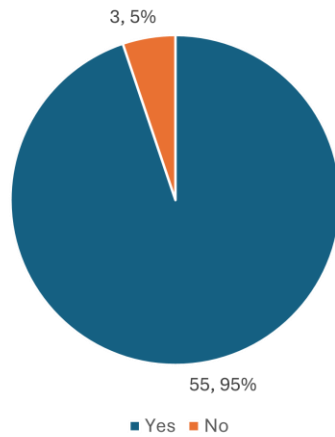
“Good job - maybe fewer opening remarks and networking exercise.”

“More time from questions from the audience.”

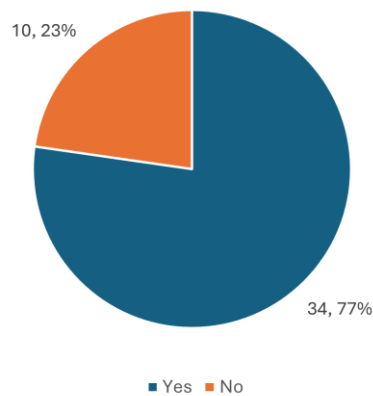
4.0 The impact

The aim of the conference was to spotlight different models of governance and ownership that could help unlock opportunities to address challenges including housing, climate and nature action, and rural repopulation and inspire action. To understand how impactful increasing awareness of the issues and exploring innovative approaches had been we asked attendees to share feedback on how the conference had increased their understanding of opportunities for inclusive land ownership and governance as well as how likely they were to make changes to their professional practice as a result. The majority of respondents (95%) indicated that the conference had improved their understanding, and 77% suggested they would make changes to their professional practice.

Did the conference improve your understanding of the opportunities for inclusive land ownership and governance?



Will you make any changes to your professional practice as a result of what you have heard today?



Respondents indicated they would adapt their practice in a number of ways, from increasing their understanding of issues like natural capital, to improving community engagement including engaging the Commission earlier on in the engagement process.

“Understanding issues around natural capital markets.”

“Explore how we interact with local community.”

“Seek advice from SLC at the start of community project engagement.”

5.0 Venue and registration

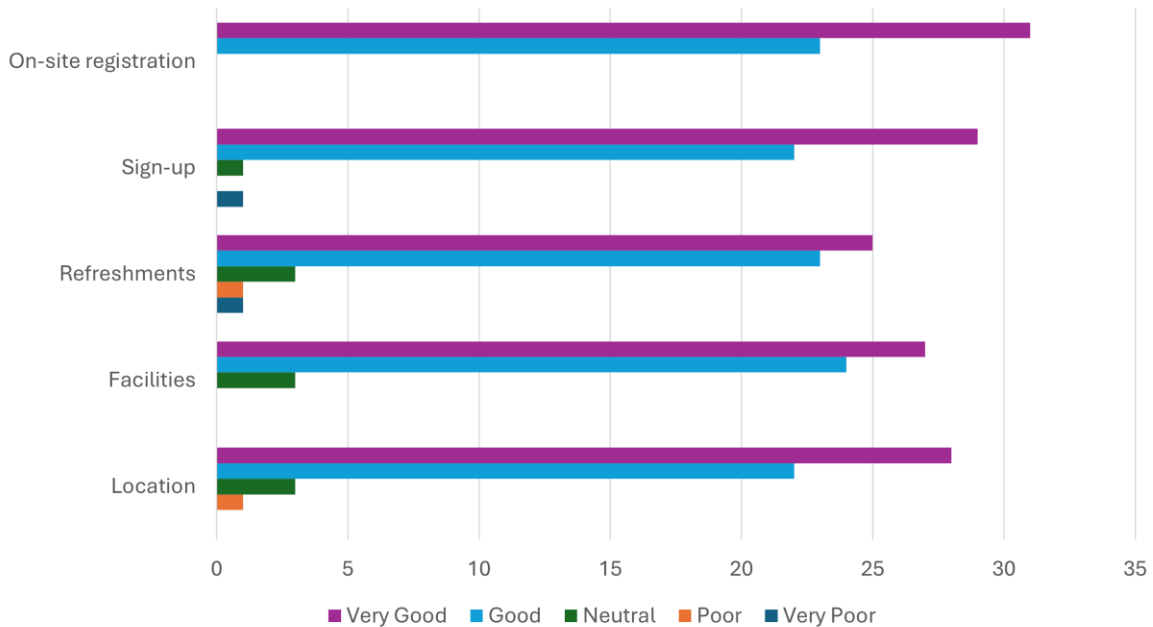
A number of venues were considered for the conference with the Macdonald Resort in Aviemore selected due to good transport links, capacity and availability of breakout rooms. The conference was split between three areas of the conference centre and Commission staff helped attendees to find their way to breakout rooms. Attendees were also issued badges at check-in with their sessions colour coded and coordinated with the timetable in the conference programme that they each received a copy of. 98% of attendees said they found everything clearly marked and easy to find on the day and praised the organisation of staff:

“Staff extremely helpful.”

“Staff were excellent.”

“Staff very good with direction.”

We also asked respondents to rank specific elements of the organisation and venue to help evaluate the suitability of the venue for future events.



The results show that the venue was well suited to the event and was generally well regarded by attendees. The results also reflect how efficiently the check-in process was managed by Caron Munro and Felicity Peall.

6.0 Areas for improvement

Whilst most of the feedback from the conference was positive, areas for improvement and reflection were highlighted and an internal ‘wash-up session’ with staff following the event also raised further considerations for future events.

- More time in sessions – attendees felt there wasn’t enough time for questions in some sessions
- Incorporate more opportunities for networking – break times didn’t offer enough time for this, some suggestions of facilitated networking sessions
- Too focused on rural issues, attendees would like to hear more about work being done to address urban issues
- Less options, people were torn over what session to join
- Location – some people raised issues with trains and suggestions of a central location for future events.

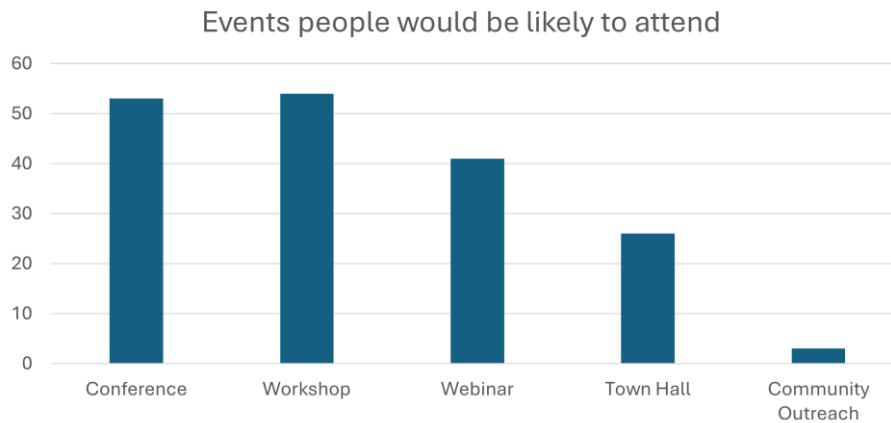
Some of this feedback is contradictory to the positive feedback received but does show a strong appetite for more opportunities to attend events and engage directly with the Commission.

7.0 Using feedback to shape future public engagement

100% of respondents to our feedback form said they would be likely to attend a Commission event in the future. This speaks to the credibility and reputation that the Commission has

established in the sector as well as the convening power in being able to engage with a wide range of organisations on the issues. This is something the Commission could leverage through a programme of ongoing public engagement.

The chart below describes the types of events people would be most likely to attend with the majority of responses weighted towards in-person events.



Alongside a virtual public meeting on Monday 2 September, the Good Practice Team have been actively engaged in planning for a series of webinars to take place in October and November and the Commission is in early conversations with stakeholders to plan an event at the Royal Highland Show in June 2025.

Scarlett Macfarlane

Communications and Engagement Manager

14 August 2024