



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Community Land Leadership Group

Monday 17th June 2024, 9am, Online

Summary Note of Meeting

Present: Lorne MacLeod (Chair), Michael Russell (Scottish Land Commission) Hamish Trench (Scottish Land Commission), Gemma Campbell (Scottish Land Commission), Sandra Holmes (HIE), Kirsten Logue (SoSE), Linda Gillespie (COSS), Dave Thomson (Scottish Government), Andy Proudfoot (Scottish Government), Nye Todd (Scottish Government), Katie Alexander (Crown Estate Scotland), Josh Doble (Community Land Scotland)

Apologies were received from Ailsa Raeburn (Community Land Scotland).

Introduction

The chair welcomed group members and noted the apologies of those who couldn't attend.

No amends to the minutes of the previous meeting were noted. The chair therefore committed that a summarised version of the minutes would be published on the Land Commission website for transparency.

Topic Discussion: CRtB review

An introduction was given on the Scottish Government's plans for a review of the Community Rights to Buy which will begin this summer. The process will involve: an initial stage of evidence gathering and informal engagement with key stakeholders; analysis of feedback and development of proposals for changes; and formal

consultation on proposed changes. This will be done with a view to future legislative changes.

Members welcomed the review and went on to discuss the scope and timing of the process, the approach that will be taken to engagement with stakeholders, potential outcomes following the review, and the interaction between the review and the Land Reform Bill.

Topic Discussion: Land Reform Bill, Prior Notification & Transfer Test proposals

Michael gave an update on the NZET committee evidence session which took place on 11th June and set out the Scottish Land Commission's view on the bill.

The evidence session considered how the measures set out in the draft bill might work in practice. It is important that they meet policy objectives. The Commission will be looking more closely at some areas, e.g. lotting.

The NZET Committee doesn't expect to get to Stage 2 this year. Likely going to keep going up to Easter next year. Efforts are needed by all to make sure it provides the right solutions. The Commission will work with stakeholders to make sure we provide best advice we can.

Andy provided an update on the timetable. There is no stage 1 deadline yet, but the team is informally working to end of year. Some further evidence sessions could take place this month. Possibly some engagement over summer then more sessions in autumn.

Nye gave an introduction on the prior notification and transfer test proposals.

Prior notification proposals

These will not create an additional Right to Buy. The aim is to tackle issues associated with off-market sales. The proposal will create a duty for landowners of holdings over the size threshold to make public when they intend to sell land. This will lead to a protected period of time in which community groups can say they would like to make an application for a Community Right to Buy. This would then feed into existing processes.

Transfer Test

The proposed test will be applied to landholdings over 1000 hectares. The test will also cover a number of smaller transfers over period of time (to ensure that those who may be trying to get around threshold are brought into the provisions).

Questions will be asked to determine outcome and whether the sale could benefit local communities, for example if the sale was lotted?

The two sets of proposals are quite separate in the bill. Need to consider interactions and look at how to simplify where both aspects apply.

This was followed by a discussion on the bill. Observations and questions from members included:

- how the proposed measures might affect community land ownership
- the timescales of the proposed measures and how reasonable and practical they might be
- the scope of the prior notification proposal and the impact it might have on community aspirations, house sites, etc
- what will happen in situations where there are options agreements in place
- the need to consider land values and the barriers that have to be tackled in relation to this
- the need for synergy between land management plans and the transfer test
- importance of getting Community Rights to Buy right to help communities and ensure that the prior notification proposal to succeed in its aims
- how the proposals might help tackle issues associated with concentrated land ownership

- whether there is a means of looking at the overall pattern of ownership in an area to make sure someone who already owns lots of land in the area can't buy land through lotting
- the potential to consider sites of community significance, allowing communities to identify important assets and working around blunt thresholds

Discussions moved on to consider the capacity of communities and the current funding landscape. Points covered in the discussion included:

- the current pressure on community capacity, with communities taking on more service and social provision, leaving less scope for ambitious and forward-looking work
- need for additional support and resources to support capacity
- whether the commitment from Scottish Government to increase the Scottish Land Fund budget to £20m by the end of this parliament will be met
- whether the group should revisit the core question of how SLF is operating and what can be done to bring in additional finance to support community acquisition
- the need for increased SLF budget to be communicated early to enable them to manage the pipeline of projects and plan spend

Date and focus of next meeting

Next topic – Community Resources and Capacity

Land Reform Bill will be a standing agenda item going forward.

Date: Doodle poll to be circulated for late August / early September.

Suggestion for meeting after next – CPO Review update.