



Minutes of the Meeting of the Tenant Farming Advisory Forum (TFAF) held Online 31st March 2026.

Present:

Actions:

Rob Black	Tenant Farming Commissioner (Chair)	TFC
Peter MacDougall	Scottish Land Commission (SLC)	PM
Jeremy Moody	Scottish Agric Arbiters & Valuers Association (SAAVA)	JerM
James Bowie	Royal Institute of Chartered Surveyors (RICS)	JB
Jackie McCreery	Scottish Land and Estates (SLE)	JM
Christopher Nicholson	Scottish Tenant Farmers Association (STFA)	CN
Stephen Young	Scottish Land and Estates (SLE)	SY
Mike Halliday	Scottish Tenant Farmers Association (STFA)	MH
Robert Neill	National Farmers Union Scotland (NFUS)	RN
Rhianna Montgomery	National Farmers Union Scotland (NFUS)	RM
Emma Robertson	National Farmers Union Scotland (NFUS)	MK
Mark Fogden	Scottish Agric Arbiters & Valuers Association (SAAVA)	MF
Heather Bruce	Agricultural Law Association (ALA)	HB

Apologies:

Claum Jones	Scottish Government (SG)	CJ
Andrew Wood	Royal Institute of Chartered Surveyors (RICS)	AW
Sarah-Jane Laing	Scottish Land and Estates (SLE)	SJL
David Johnstone	Scottish Land and Estates (SLE)	DJ
James Muldoon	Scottish Government (SG)	JMuI
Fiona Leslie	Scottish Government (SG)	FL
Helen Mooney	Scottish Government (SG)	HM

1. Welcome and apologies.

Rob Black welcomed members and confirmed the apologies above

2. Minutes of Last Meeting – 5th December 2025

Minutes of the meeting of 5th December have been circulated and members were invited to submit further comment before signing them off as complete. No amendments were put forward. CN – sentence or two possible guidance on Vermin

Control – Action Vermin Control Guidance – code of practice on Game management – code on shooting rather than

3. TFAF Charter – Direction & Feedback for Final Agreement (Paper 1 Draft Charter)

The latest draft of the charter was discussed. Some points were raised such as the definition of broad consensus and impact of the wording.

There were also concerns regarding the definition of the TFC in statute and whether it was correct to call this statutory independence. It was suggested that impartial may be more appropriate. It was also noted that there was no mention of Policy Solutions.

RB agreed that a final review would be made of the document taking into account the points raised. It was also agreed that all parties would have a further 10 days to provide amendments before the final draft would be produced in time for the next TFAC meeting on the 13th May. **Action - All**

Once the final draft is agreed it will be prepared as an official document for signing by all parties. The document can then be launched at the RHS event

It was felt it may be preferable to wait until the new CabSec has been announced/appointed before launching the Charter

4. Tenant Farming Commissioner Update

TFC is keen to set the course for the upcoming year the difficulty of the election slowing things down was noted.

It was felt it would be useful to invite the new CabSec to a TFAF meeting **Action RB to discuss with FL.**

It was suggested that while we wait on a detailed route map on implementation members should put forward thoughts on TFC Priorities for implementation

TFC confirmed that he had received additional funding to increase days from 2 to 3 per week and additional funding was in place for a part time, 0.8 FTE, Tenant Farming Officer. Members were invited to share the vacancy with their networks.

The importance of responding to casework was discussed and the capacity issues that have now been recognised.

JerM highlighted the severe consequences coming out of Iran war. Its important to be alive to the fact that this may express itself at the point of rent review and potentially cause issues that need a lot of management. The knock on effects of increased fuel prices on manufacturing and the pressure to handle genuinely changed business situations.

5. TFC Case Insight

A discussion was had on Tenant Farming Casework and how it is presented to the forum. It was felt that there was an opportunity to do this in a more informative and efficient way.

It was explained that the tenant farming casework had increased in the year 24/25 and this had been largely maintained 25/26. The figures are reported at present on an annual basis following the financial year by the SLC. It was proposed that reporting capability through the new software would allow quarterly reporting to be provided to the TFAF members at the end of each quarter at the corresponding meeting.

This approach will allow members to cross reference with their own enquiries and follow trends in issues being raised.

The importance of reaching landlords and tenants who are not affiliated with a member organisation was discussed, ideas were put forward by members such as better marketing of the help and resources that exist and a slicker delivery of meeting requests.

The pros and cons of having a form to submit queries and allow better triage of cases was also discussed.

SAC were suggested as a good point of contact to raise awareness as were young farmers groups to target this demographic.

It was also suggested that positive experiences of receiving help from the TFC could be put on the new website.

6. TFAF Future

CN highlighted the outcome from STFA tenants meetings a lot of tenants concerned about Rent reviews. He felt a code of practice was needed for Waygo. He also felt a code of practice was required governing behaviour.

It was also raised that it may be necessary to review CPO now relinquishment value is established, to make it fairer for tenants, injurious affection should change (MH) something worth TFAF involvement

The issue of fixed equipment was also raised, both tenants and landlords can in some cases push for the replacement of buildings that are old and functionally redundant. It was stated that there should be a stronger push towards efficient use rather than forcing unnecessary repairs.

The issue of tenants who are on short term agreements with no entitlements and are not able to claim BPS was also raised.

AW contended that grazing lets were being used by people who were trying to build businesses but there was no incentive to facilitate this as the legislative structure does not promote longer term letting. He also suggested that asbestos roofs are being gradually replaced and have been for many years.

On the topic of behavioural issues, it was noted that this topic has been discussed for the last 20 years. The landscape has improved over this time, there are sufficient safeguards within RICS and they have teeth to deal with issues as they arise. There followed a discussion on the effectiveness of the RICS complaints procedure.

It was proposed that a code of practice for waygo should be produced in conjunction with the new legislative changes.

There was a wider discussion over the effectiveness of codes of practice and it was highlighted that some agents are openly not abiding by the codes.

It was identified that further discussion was required around ADR and there was consensus within the TFAF that this was a good course of action.

7. Data Collection Discussion

It was highlighted that there was a wide range of people that we are not collecting data on, seasonal grazing where landlord is claiming BPS and other informal or unwritten agreements. Many tenants are not declaring the land anywhere.

In agreement with the report from Alma Economics it was felt that SAF the best way to go forward as opposed to the census. Caution was raised that the SAF form may be subject to significant change in the near future. Further discussion with Fiona Leslie and her team is required.

8. AOB

- a. With the Finance Act 2026 now on the statute book, it might be useful to round out the discussion on Inheritance Tax and Scottish tenancies.

JerM – accepted argument, tenancies continuing on contract basis rather than tacit relocation; provided for regulations to introduce something to address crofting outwith TFAF scope

Remains a relief available for bequeaths upon death, lifetime assignation remains potentially exempt.

Succession in England may not be a taxable event? Not sure

Spouse transfer allowed at full relief band – tempers the position

First decided cases may be about 5 years away

JM - Advice note may be appropriate to understand the position. Action RB

b. CN – highlighting the informal agreements that exist within Scotland –
English stats include these agreements

JerM FBTs in England are considered informal tenancies, anything other than secure tenancy many farmers do not know they have FBT global data comparable.

CN many grazing lets in Scotland will actually be SLDTs