



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Minute of the meeting of the Scottish Land Commissioners held on 5 March 2024 at An Lòchran, Inverness.

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

In Attendance: Hamish Trench, Nikki Nagler, Emma Cooper, David Stewart, Claire Bremner, Caron Munro, Felicity Peall (Scottish Land Commission)

Apologies: Craig Mackenzie (Land Commissioner)

Declarations of interest: None

1. Minutes of previous meeting 6 February 2024

The minutes were agreed as a true and accurate reflection of the discussion held. No amendments required.

2. Commissioners Updates

Commissioners provided an update on relevant activities representing the Commission since the last Board meeting, including the Rural Housing Scotland conference attended by Lorne in February. Michael and Deb indicated they would welcome the opportunity to attend a meeting of the Good Practice Advisory Group.

3. Land Reform Bill

Commissioners noted the board's recent positive meeting with the Cabinet Secretary. Hamish confirmed that while the timing for the bill remains unknown, staff will draft initial communications for use when the bill is published, and key information will be circulated to the board when it is known.

Action: 24030501	Nikki to prepare communications plan in anticipation of the land reform bill publication
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4. Audit and Risk Committee Chair Report

Lorne introduced the paper and provided key points from the recent ARC meeting, noting that it was Craig and Deb's first ARC meeting. He also reported on a recent meeting of the Audit Chairs network which emphasised the challenging public finance climate and the expectation that public bodies will need to plan for continued constrained resource.

5. 24/25 Business Plan and Budget

Hamish presented the 24/25 Business Plan and budget noting it responds to the priorities agreed by the board at the last meeting as well as our strategic plan and programme of work. He noted the need for the Commission to retain a degree of flexibility in being able to respond to the land reform bill as and when it is published.

He noted that the 24/25 budget is in a different position from previous years, being fully committed for the financial year due to higher staffing and other operating costs as well as ongoing delivery commitments. He noted this provides greater certainty on spend than previous years, backed by the staff capacity to deliver, but means we have less flexibility in financial spend through the year.

The board agreed the business plan sets out an appropriate focus for delivery. Commissioners sought more information about the plans for budget management given the higher costs and reduced flexibility.

The board asked that further consideration be given to where savings can be made within the financial year in order to increase flexibility. The board also agreed that there should be no presumption that vacant posts are filled as and when a vacancy arises, given this is one of the identified levers to reduce fixed costs.

The board agreed the annual business plan subject to minor text amendments and budget adjustments that reduce the over-programming.

Action: 24030502	Management team to finalise business plan for publication and identify where budget savings can be made.
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6. Communications – Brand Identity and Website review

The board agreed to take this item next on the agenda given the link to the business plan and budget.

Scarlett introduced the paper, noting the risks of the current website provision and the lack of accessibility. She clarified the proposed work on brand identity is practical work to improve the usability of our current branding and does not involve rebranding work.

The board raised concern about the potential level of spend being required in relation to value for money and to the overall budget constraints. Scarlett confirmed that the core work required is to replace our current bespoke web platform with one that no longer relies on a single provider. The board agreed that the Commission should not currently spend resource on branding, other than the practical improvements Scarlett proposed such as ensuring we have access to necessary fonts without additional charges.

The board acknowledged that a phased approach to website improvements is likely to be required with the overall purpose being to improve the resilience and accessibility of the website, and the impact of our work.

The board agreed that in the context of the business plan budget overall, a maximum budget of £20,000 should be allocated within the financial year to the website review and asked staff to reconsider the approach to what is deliverable within this.

Action: 24030503	Scarlett and Nikki to implement a revised approach to website improvements within the agreed budget
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7. Land for Housing

David introduced his paper on Land for housing “scoping the next steps” for discussion. The board welcomed the proposed approach, emphasising the opportunity for the Commission to provide leadership and a convening role to seek progress.

The board considered the links between the urban and rural context, noting the underlying systemic issues are very similar. David noted that we are currently engaged in work to support Town Centre Living as well as reviewing progress on vacant and derelict land. The board agreed the need for a specific focus on rural housing land supply, given the challenge this currently poses to rural Scotland.

The board agreed that appropriate research work is in hand and the priority should be to find ways to translate this work into practical action. The board discussed the opportunity for leadership by public land owners, for example through the functions of Forestry and Land Scotland and local authorities.

The board agreed to hold a roundtable event on the day of the next board meeting with key partners invited to identify practical actions that can be taken.

Action: 24030504	Hamish and David to arrange for May a Roundtable meeting with the board and key stakeholders focused on action on rural housing land supply.
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8. Natural Capital work and context

The board welcomed the overview given by Emma of our current work and the wider context of the Scottish Government policy and programme. The board agreed our focus should continue to be on a) supporting implementation of community benefit and b) addressing the wider risks that natural capital value could reinforce the concentration of land ownership and benefit.

9. Cyber Security Briefing

Claire provided a briefing on key issues for board members to be aware of including the importance of email security and an update on the recent phishing test campaign.

The board welcomed the assurance given through current systems and the regular testing, noting the need for continued vigilance from all. The board sought assurance that the Commission has appropriate business continuity arrangements in place. Claire confirmed there is a Business Continuity Plan and Cyber Incident Plan in place with key roles and processes identified.

The board asked that regular cyber security updates are provided through board meetings and that all members should undertake appropriate training as available.

Action: 24030505	Arrange Cyber security training for the board of commissioners.
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10. Freedom of Information Briefing

Caron briefed the Board on our obligations regarding Freedom of Information requests, noting under the Freedom of Information (Scotland) Act 2002 that anyone can request information. Once a request has been received the Commission has 20 days to make a response.

Caron emphasised the need for appropriate record keeping noting that information in all forms or channels is within scope and must be provided when an FOI request is made.

11. AOB:

Casework Update

Emma briefed the Board on some recent casework updates and discussed the current outcomes to these. The board noted the level of casework associated with public bodies and the leadership role public land owners should be playing.

Human Rights Bill Scrutiny Bodies

Hamish highlighted that Scottish Government has confirmed the intention that the Commission will be identified as a 'scrutiny body' within the proposed Human Rights Bill, which will bring some additional duties and further traction to embedding a human rights approach to land reform.

Date of Next Meeting: 07 May 2024

**Scottish Land Commission
March 2024**