

SCOTTISH LAND COMMISSION
Coimisean Fearainn na h-Alba

**Minutes of the meeting of the Scottish Land Commissioners,
held on Tuesday 24 January 2017, at Longman House, Inverness**

Present: Andrew Thin (chair), Megan MacInnes, Lorne MacLeod (Land Commissioners), Dr Bob McIntosh (Tenant Farming Commissioner), Hilary Pearce (interim CEO), Scott Strachan (interim HR Manager, Jillian Gardner (interim Policy Assistant).

Apologies were received from Prof David Adams and Dr Sally Reynolds (Land Commissioners), both of whom had submitted written comments on the papers.

1. Minutes of the meeting held on 20 December 2016.

The Minutes of the Commissioners' meeting held on 20 December 2016 were agreed as a true and accurate record.

Matters arising: 'On board' has been issued to all Commissioners. An approach will be made to SNH for suggestions for a co-opted member of the Audit and Risk Committee, for a daily fee, for an initial fixed period of two years. The process for the Commission to respond to the draft Land Rights and Responsibilities Statement was discussed and it was agreed that a formal request would be made for the officials who had drafted the LRRS to attend the Commission's meeting on 28th February, the invitation would also indicate the nature of the main advice commissioners relating to the LRRS, and will request an extension to the deadline for consultation responses to 3rd April so that the Commission which will be vested entity by that date. (Action: letter to issue)

2. Draft Code of Conduct for Commissioners

The Code of Conduct was signed off, subject to the insertion of "As a Commissioner" to the first sentence of each of paragraph 3.16 and 3.19. It was also agreed that a sentence covering the collective responsibility of all Commissioners would be added if this was not covered within the letters of appointment. (Action – amendments to document)

3. Draft Scottish Land Commission - Scottish Government Framework document

It was noted that this agreement was between the Scottish Government and the Commission as a corporate body, led by the Accountable officer, rather than being between SG and the Commissioners. The document therefore covers issues relating to the administration of the body which supports the Commissioners, and not to the functions of the Commissioners. It was agreed that the document would be amended

to make this clear from the outset. It was also agreed that it would be amended to make clear that the 'Strategic Plan' in the Land Reform Act 2016, means the Scottish Land Commission's interim corporate plan, and that the 'work programme' in the Land Reform Act 2016, means the Commission's annual business plan. The reference to Steve Sadler would be amended to read 'Head of Sponsorship' on page 8. The draft Framework would then be put to the SG sponsorship team for consultation and agreement. **(Action: amendments to document and forward to SG for comment)**

4. Interim Corporate Plan

Paper 4, the draft interim Corporate Plan for 2017-18, was considered in detail, both in terms of the broad narrative and the tentative list of deliverables in the first year on page 16.

It was noted that this is intended as a 1-year Corporate Plan for 2017-18 so something of a 'holding' document, while the 3-year strategic plan, for 2018-19 to 2020-21 is drawn up.

It was agreed that the next version should include the following:

- Re-instatement of an explanation of why the Land Commission has been created by Ministers, the brief historical context, what Ministers expectations of it are and what the overall vision for land reform in Scotland is.
- References to the work of the Land Reform Review Group and other SG documentation conveying Ministerial expectations.
- It will refer to the 3 year Strategic Plan to cover the high level priorities of the Commission.

Commissioners agreed to contribute any further detailed thoughts on the Corporate Plan by e-mail to Andrew/Hilary. The next version would then be considered at the 28th February meeting. **(Action: next Agenda)**

5. Risk Management planning

It was noted that the risk management planning paper set out the Scottish Government's approach to risk management, and that the Commission would need to have a Strategic Risk Register in place by 1st April, which must derive largely from its agreed business objectives. An operational Risk Register is also under development by the Accountable Officer. The initial Strategic Risk Register would be considered by Commissioners at the next meeting on 28th February. **(Action- next Agenda)**

6. Stakeholder engagement and event planner

It was noted that vigorous and open stakeholder engagement was of crucial importance to the credibility of the Scottish Land Commission especially in its early months. It was agreed that at paragraph 5 of the stakeholder engagement plan would be added a list of priority issues for the SLC to work on. Commissioners

agreed to send to the CEO suggestions of priority groups and individuals such as office bearers and opinion formers who it is important to engage with. This would include international groups where identified. It was agreed to look into the possibility of holding a series of 'village/town hall' open events around Scotland to raise the profile of the Commission in communities both rural and urban. It was noted that a Comms and Events Manager was currently being recruited and it was hoped they would be in post in March.

7. Organisational set-up – progress report

The update paper was noted by Commissioners. It was agreed that the Commissioners' security passes and e-mail addresses would be chased up. It was also agreed that the job descriptions and person specifications for the two heads of service posts to be recruited shortly should be circulated to all commissioners for comment and that a Commissioner should be on each recruitment panel for these two posts. It was noted that contact had been made with Bord na Gaidhlig to ensure compliance with the Gaelic Act and shared arrangements for legal and technical services were being investigated. (Action: various -ongoing)

8. TFC priorities and functions

The papers on early TFC priorities and distinguishing Land Commissioners' and the Tenant Farming Commissioner's functions were agreed. It was agreed that:

- the draft TFC Codes of Practice would come to the board for discussion and comment, but not be put to a vote
- Complaints against individuals relating to the tenant farming codes would not go to the board.
- If a complaint was upheld then the TFC would publish the result but may not identify the individuals involved
- Any matter for the Commisisoners' meeting which related with only to the TFC functions , or only to Land Commissioners' functions must make that clear.

It was also noted that the TFC may need to appoint a valuer in certain circumstances and it was intended that this might be a short-term contract until it was known more accurately what the caseload for this might be in future. It was agreed that the Commission's presence at key agricultural and other shows this year would be investigated and booked where appropriate. (Action – investigate presence at Agricultural shows)

9. Any other business

The paper on gender representation on boards was discussed and it was agreed that the 'Changing The Chemistry' board would be approached to nominate an observer board member to attend board meetings to listen, and to contribute at the chair's discretion. The request would suggest that someone with an interest in land issues would be preferable.

The recommended logo for the Commission was considered and agreed with the caveat that the designers are asked to remove a horizontal line to simplify it.

A further discussion was held on the possible coverage of the draft response to the SG consultation on the Land Rights and Responsibilities Statement.

**Scottish Land Commission
January 2017**