



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Minutes of the meeting of the Scottish Land Commissioners held on Tuesday 21st June 2022

Commissioners Present: Andrew Thin (Chair), Sally Reynolds, Lorne MacLeod, and Megan MacInnes, David Adams (Land Commissioners), Bob McIntosh (Tenant Farming Commissioner)

In Attendance: Hamish Trench, Posy MacRae, Caron Munro and James MacKessack-Leitch (Scottish Land Commission)

Declarations of Interest: There were no declarations of interest

The Chair thanked Hamish and James for their work preparing this advice.

1. Advice to Ministers: Natural Capital and Land: Recommendations for a Just Transition

Hamish provided the Commissioners with an overview of this piece of work and noted that the overall purpose of this piece is to give advice to ministers and to give the public a point of reference. He advised that this is not intended to be the Commission's final word on these issues, particularly on community benefit.

Bob supported the proposed recommendations and noted that there is an opportunity for the Commission to highlight the need to consider potential unintended consequences arising from changes in carbon codes, including the Woodland Carbon Code.

David suggested that the Commission should move away from talking about rural land markets and make clearer that it is an artificial market. Hamish noted that the document indicates that the markets are created by government policy and suggested this may be a point for future work to look into. David also noted that there is a potential policy inconsistency to be aware of in regards to prior notification of sale not fitting in with the Community Right To Buy legislation. Hamish noted that the paper should acknowledge prior notification won't address all issues and an emphasis should remain on promoting registration of an interest under Community Right to Buy.

David also suggested that it may be helpful for the Commission to propose a review of requirements for forestry consents and relationship with the planning system, noting there are currently different processes and requirements. Hamish noted that the

Commission would need to do more groundwork and research before making any proposals on this area.

Megan noted that the articulation of the problem is clear in section 3 and suggested it would be beneficial to include this in the executive summary. Hamish noted this point and agreed to set this out in the executive summary.

Sally noted that section 3.2 on page 10 should make reference to the Land Commission's protocol on this area and suggested that it may be helpful to reference crofting in section 4.1 on page 14 as the point also applies to it.

Megan queried if there is a stronger national level leadership needed particularly in policy coherence and suggested this could be brought forward in the communications around the publication of the advice. Hamish agreed that the advice can be strengthened to address this.

The Commissioners agreed the document, subject to the amendments raised and delegated the final sign off to Andrew and Hamish.

Next Steps

Posy advised that the communications will be targeted to specific media outlets and will offer interviews where appropriate. She advised that the advice will be published alongside an executive summary and the land data report.

Lorne and Megan queried the anticipated focus of the Land Reform Bill consultation and how wide in scope it is likely to be. Hamish noted that he expects the consultation on the bill to include land management plans, the land rights and responsibilities statement and the public interest test, drawing on the Commission's proposals. He noted that he expects it to be largely rural focussed in the context of net zero ambitions. He advised that the Commissioners will be sent a briefing ahead of the consultation launch and the Commission will have communications signposting people to relevant areas of our work.

David noted that the bill consultation is heavily rural focussed and asked if there is any indication from government that the urban recommendations will be included in the Community Wealth Building bill. Hamish noted that he and James have met with the Community Wealth Building team and there is an opportunity for the Commission to offer some input into this bill.

2. Any Other Business

Sally noted her thanks to Bruce for the notes he sent to Commissioners following their workshop in Perth at the beginning of the month.

Date of Next Meeting: 5th July 2022

Scottish Land Commission

June 2022