

CROFTING COMMISSION

MINUTE OF THE COMMISSION MEETING HELD AT GREAT GLEN HOUSE ON 16 AUGUST 2017

Present:	Rod Mackenzie	Convener
	Andy Holt	Commissioner
	Mairi Mackenzie	Commissioner
	Malcolm Mathieson	Commissioner
	James Scott	Commissioner
	David Campbell	Commissioner
	Billy Neilson	Commissioner
	Cyril Annal	Commissioner
	Iain Maciver	Commissioner
	Bill Barron	Chief Executive
	Donna Smith	Deputy CEO
	David Findlay	Commission solicitor
	John Toal	Head of Policy
	Joseph Kerr	Head of Regulation
	Neil MacDonald	Finance Manager
	Karlyn Watt	Deloitte – External Auditor
	Margaret Williamson	Observer
	Anne Williamson	Minute Taker

1 APOLOGIES AND WELCOME

Apologies were received as follows:

Apologies were received from Jane Thomas, who was only able to attend the meeting for items 8 and 9.

The Convener welcomed Karlyn Watt from Deloitte, the Commission's external auditor and Margaret Williamson, Boardroom Development Ltd who would be observing the meeting.

2 DECLARATION OF INTERESTS

The Deputy Chief Executive reminded Commissioners of the purpose of the Declaration of Interests section of the agenda.

Commissioner Campbell declared an interest in the Garvary case in the Appeals to the SLC section of the papers.

3 APPROVAL OF DRAFT BOARD MINUTE OF 3 MAY 2017

The Minute of the Meeting of 3 May 2017 was approved with no amendments.

4 MATTERS ARISING FROM PREVIOUS MEETING

The Chief Executive explained that a meeting had taken place yesterday of a sub group of Commissioners to discuss the role of Assessors. They now have a remit to take this matter forward. He also advised that progress had been made on the Business Plan.

5 ADVANCE PAPERS FOR APPROVAL

- (i) Establishing Parameters**
- (ii) Extending the List of Delegated Functions**
- (iii) Review of Delegated Decision Making Structure**

The Head of Regulation introduced the papers and clarified that the papers had previously been discussed by the Board in private and were being presented for ratification, in public.

Commissioners approved papers (i), (ii) and (iii).

Decision	Commissioners approved papers (i), (ii) and (iii).
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6 ANNUAL REPORT – FOR SIGING OFF

Karlyn Watt, from the Commission's external auditor confirmed that there were no issues with the Commission's Annual Report and, subject to the Audit & Finance Committee Report being signed off, she was happy for the Annual Report to be signed off.

The formal signing of the Annual Report by the Chief Executive then took place.

Karlyn Watt and the Head of Finance then left the meeting.

7 POLICY PLAN CONTENT

The Head of Policy introduced his paper and drew the Board's attention to the main issues highlighted and the suggested proposed handling.

A lengthy discussion then took place on where the Commission should be focusing attention and what would be the benefits of any proposed concentration of work on crofting duties. The merits of focusing on residency and land use were discussed at length and how any additional work would impact on staff resources within the organisation. The need to set realistic and achievable targets was considered and it was agreed that they should be in line with priorities within the Policy Plan.

Commissioner Annal raised a point about the Policy Plan providing little for the crofters in Orkney whose crofts are traditionally larger and often comprising numerous smaller units but where the boundaries are unknown.

The Board considered their role in being proactive and communicating the message that crofters can assist by looking at their own responsibilities and can take action to resolve their situations. Information needs to be made more widely available to crofters to inform them of the options open to them. The need to work with Landlords and other organisations was also considered.

It was agreed that after it is submitted to the Scottish Government, a further meeting is required to look at implementing the Policy Plan in more detail.

Decision	Further work to be done on the Policy Plan in line with the proposals in the paper before submission to the Cabinet Secretary.
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8 GAELIC LANGUAGE PLAN – ANNUAL REVIEW

The Head of C&CS joined the meeting and introduced the paper. She explained the Board must review progress on the Gaelic Language Plan each year. Bord na Gàidhlig also carry out an annual review of our Plan. The SMT monitor the Plan on a quarterly basis.

Commissioner Campbell highlighted that previously the Board Meeting was started with a Gaelic introduction. The Chief Executive agreed to prepare an introduction for the next meeting which is taking place in South Uist. The Deputy Chief Executive confirmed that Gaelic Language classes had been arranged for staff, and the Convener would attend if possible.

9 AUDIT & FINANCE COMMITTEE REPORT

- (a) Update from Chairperson**
- (b) Approval of Draft Minutes**
- (c) Annual Report on Committee Activity**
- (d) Risk Register**
- (e) Key Performance Indicators**
- (f) Complaints Handling Report**

Commissioner Mathieson introduced the papers and started with a recommendation that a Strategy Day be held on Risk Management. He also highlighted the importance of an adequate Commission budget for 2018/19.

The draft minutes of the meeting on 19 April 2017 were approved with no amendments.

The Head of C&CS added that the Sustainability Statement had been to the Audit & Finance Committee following a review by the internal auditors.

The Sustainability Statement was approved with no amendments.

10 GRAZINGS REGULATIONS TEMPLATE

The Head of Policy introduced the paper and advised that a Short Term Working Group had met to take forward the drafting of the Grazing Regulations template. A consultation had taken place over the last few months and a summary of the wide ranging responses was included in the papers.

The template has been designed to focus on the requirements of the Act. It does not prevent Committees adding additional sections that relate to their local circumstances e.g. cropping of machair land, open townships etc.

The Commission Solicitor added that the section on Muirburn should be amended to advise shareholders that the landlord's consent is required prior to any Muirburn taking place. The reference to the Muirburn Code should also be removed.

A discussion then took place about the legality of committees being appointed prior to the expiry of the current committee's 3 year term of office. The Commission Solicitor clarified that the meeting should not take place until after the current committee has expired. Only then could a new committee be appointed and take office. It was agreed that the wording of sections 1(1) and 1(5) needs to be looked at to clarify this point.

Decision	Template approved subject to wording changes at 1(1), 1(5) and (8).
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11 DATE OF NEXT MEETING

20 September – Polochar Inn, Lochboisdale, South Uist

12 ANY URGENT BUSINESS

Commissioner Campbell updated the Board on the Commission's recent attendance at the Black Isle Show. The event was very well attended and the Commission's tent received a large number of visitors. Staff were on hand to deal with enquiries and provide a demonstration of the upcoming ROC Online.

Commissioner Campbell also highlighted an issue that he has become aware of relating to Section 75 Notices being imposed by the Highland Council Planning Officer. After a brief discussion it was agreed that a dialogue take place with Highland Council to look at this issue.

13 EXCLUSION OF THE PRESS AND PUBLIC

The Convener closed the meeting at 4:00 pm.