

# CROFTING COMMISSION

## MINUTE OF THE COMMISSION MEETING HELD AT GREAT GLEN HOUSE ON 3 MAY 2017

Present:	Cyril Annal	Commissioner
	Andy Holt	Commissioner
	Mairi Mackenzie	Commissioner
	Malcolm Mathieson	Commissioner
	James Scott	Commissioner
	David Campbell	Commissioner
	Billy Neilson	Commissioner
	Rod Mackenzie	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
	Jane Thomas	Head of C&CS, Minute-taker

### 1. APOLOGIES AND WELCOME

The Chief Executive welcomed everyone to the Board meeting and explained that he would be Chairing the meeting. It was anticipated that the Convener would be selected in the coming month and take over this role. There were no apologies.

### 2. DECLARATION OF INTERESTS

Standards Officer asked if anyone had any interest to declare in the public part of the meeting, explaining that any interests to declare at item 13 should be made known when the Board went into private session.

No interests were declared.

### 3. APPROVAL OF DRAFT BOARD MINUTE OF 29 MARCH 2017

The Minute of the Meeting of 29 March 2017 was approved. This would now be made ready for display on the Commission's website.

### 4. MATTERS ARISING FROM PREVIOUS MEETING

Head of Policy gave an update on preparations to consult on the Policy Plan. It was hoped that the consultation exercise would begin in the next couple of weeks. It would be based on the current plan but also with a focus on receiving feedback on the changes brought about by the 2010 Crofting Act. The consultation would be conducted over May-July and be reported on to the Board in June.

The consultation would be available on the website and social media. Commissioners requested a copy of the distribution list and emphasised the need for a social media campaign to encourage comment on the plan.

Chief Executive confirmed all Action Points raised for staff at the March Board meeting had been discharged.

## **5. AUDIT & FINANCE COMMITTEE REPORT**

- (a) Update from Chairperson**
- (b) Draft Minute of 7 March 2017**

- (a) Chair of the committee, Commissioner Mathieson, gave an oral update of the committee meeting which took place on 19 April 2017, which had been attended by the three appointed Commissioner members. He had been impressed by the quality of the papers prepared for the committee and wished to record his thanks to the Finance Manager for his work on these and his support to the committee.

Budgets and accounts had been reviewed and the Risk Register considered for revision and update, with no finance or governance issues of concern to report to the Board.

- (b) Commissioner Campbell had been present at the Audit & Finance committee meeting on 7 March 2017 and confirmed the draft Minute was a true reflection of the meeting. There were two Action Points, which had both been discharged.

The Board approved the Minute.

## **6. ASSESSOR NETWORK**

Head of Corporate & Customer Services introduced the paper, explaining that it is for the Board to decide whether it wishes to appoint a panel of Assessors, under Schedule 1 of the Act and that the term of the current panel ends in October 2017. The previous Commissioners had recommended that the term of the panel be extended for a further year, to give the new Commissioners time to bed into their role and to ensure that, going forward, the year of election to the Commission and appointment of a new Assessor panel did not coincide.

Members confirmed they did wish to appoint an Assessor panel and had a broad-ranging discussion on the role of Assessor, how this has changed over time and how a panel might work with the Commission in future. It was agreed that it was no longer appropriate to seek comments from Assessors in individual cases but that there was potential to use the network to provide information on things such as the use of better quality land in crofting communities, demand for crofts in particular areas and activity in crofting communities.

There was support for Commissioners having a role as a contact point for Assessors and meeting with their local Assessors over the coming months. It was agreed that Assessors represent a valuable resource and can help the Commission understand local concerns. It was agreed a new role needed to be defined and that a new panel should be appointed in Spring 2018. Training would be needed and the practicalities of this had to be worked out, as well as the best recruitment method to use.

The Commission agreed to take matters forward by setting up a short-term working group, comprising Commissioners Annal, Neilson, Scott and Maciver, Commission solicitor and another official as necessary.

<b>Decision</b>	<b>Confirm the Commission will have a panel of Assessors; arrangements to be made to appoint a new panel in Spring 2018; an internal working group to be set up to consider the role of Assessor and recruitment method to use and report back to Board.</b>
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## **7. BUSINESS PLAN – FINAL VERSION**

Deputy Chief Executive introduced the paper and explained that a few figures had still to be confirmed. The plan has to be approved by the Minister and there is therefore an overview by Sponsor Division, who will put both the Corporate Plan and Business Plan up for approval at the same time. As the two documents will be viewed together, Sponsor Division have requested minor further editing to link the Business Plan to the Corporate Plan. The key thing is to ensure the Board is satisfied with the contents.

The Commission discussed how targets are arrived at and how outcomes will change if the 'clock stops' during a process. Textual changes were agreed on page 26, to talk about "a rich environment"; "quality wildlife" and "scope for business opportunities, population retention and sympathetic land use", and on page 31, to change "reduce" to "improve". It was agreed to say more in the Business Plan on the role of the Commission in promoting the interests of crofting and to revise Objective 3 and that the forthcoming meeting between the Minister and Commissioners provides an opportunity to highlight the impact of changes in grant conditions on crofters.

<b>Decision</b>	<b>Approve draft Business Plan with textual changes and additions as noted above and subject to final editing by officials in consultation with SG.</b>
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## **8. AGREE WHERE TO HOLD BOARD MEETING OUTSIDE INVERNESS**

Head of Corporate & Customer Services explained that traditionally each year one Board meeting is held in a crofting county outside Inverness. Previous meetings had taken place in Harris, Strontian, Skye, Ullapool, Shetland and Brora, which generally take two days and include a surgery to meet people on an individual basis, a public meeting and a meeting with Assessors, as well as the public Board meeting. There is also generally an opportunity for a crofting community visit by the Board.

The Commission agreed that first choice for a visit, with the Board meeting itself falling on 20 September, would be Uist/Barra, with Orkney/Caithness as an alternative if it is not possible to secure enough accommodation in Uist for the night of 19 September. Whichever location is not visited this year will then be the choice for 2018 and can be booked and arranged well in advance.

## **9. STANDING ORDERS**

Commission solicitor took the Board through the paper, explaining the proposed revisions to Standing Orders and the need to find a balance between freedom of expression and reasonable and fair conduct of business.

It was agreed to alter point 6.5 to 6.4(i) and 6.4(ii), so that they are read together. It was agreed to change “Convener” to “Chair” in paragraph 14 in order to avoid any potential for confusion. After discussion, the revised draft was approved and officers were asked to request comments from the Standards Commission.

<b>Decision</b>	<b>Commission approved revised Standing Orders subject to amendment as above.</b>
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## **10. ACTION PLAN – GOVERNANCE REVIEW**

The paper was introduced by the Chief Executive, who gave the background to the review and outlined the recommendations made by Scott-Moncrieff, explaining that Sponsor Division will comment on the final draft.

The issue of document management was discussed, with the point made that internal systems can only work if everyone uses them and does not work outside agreed systems. Commissioners were also made aware that shortly before Scott-Moncrieff were engaged to carry out the review by Scottish Government, they had completed an internal audit of the Commission’s Governance and Risk Management policies, which resulted in a positive audit. It was agreed that the Action Plan should refer to this for context.

The Chief Executive agreed to draw attention in the report to the resolve of the new group of Commissioners to move forward and work with staff.

The Commission then went through each point in turn, with the Commission solicitor explaining his role within the organisation and how it is possible for the Board to seek alternative/additional legal advice if required and with officers explaining the need to adhere to the media protocol in order to protect members and the organisation. It was agreed that Commissioners would be provided with communication lines to take on various issues and that this would be updated each month.

<b>Decision</b>	<b>Approve draft Action Plan for submission to Sponsor Division subject to textual additions as above.</b>
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## **11. DATE OF NEXT MEETING**

The next meeting will be Strategy Meeting of the Board in Great Glen House on 21 June 2017, followed by a training day on 22 June 2017. Apologies were received from Commissioner Mathieson.

## **12. AOB**

No other matters were brought before the Board in the public meeting.

## **13. EXCLUSION OF PRESS AND PUBLIC**

Chief Executive thanked Commissioners for their input throughout the day and closed the Board meeting at 4:50pm.