

# CROFTING COMMISSION

## MINUTE OF THE COMMISSION MEETING HELD AT GREAT GLEN HOUSE ON 5 AUGUST 2015

Present:	Colin Kennedy	Convener
	IG Macdonald	Vice-Convener
	Kathleen Sinclair	Commissioner
	Marina Dennis	Commissioner
	David Campbell	Commissioner
	Arnie Pirie	Commissioner
	William Swann	Commissioner
	Murdo MacLennan	Commissioner (from 09:45am)
	Catriona Maclean	Chief Executive
	Lucy Carmichael	Senior Crofting Policy Advisor, Scottish Government
	Jane Thomas	Head of Corporate & Customer Services
	Donna Smith	Head of Information Systems
	David Findlay	Commission Solicitor
	Joseph Kerr	Head of Regulation
	John Toal	Head of Policy
	Asif Haseeb	Audit Scotland
	Neil Macdonald	Finance Manager
	Posy MacRae	Communications Manager
	Morag Menzies	PA to Convener, Minute-taker

### 1 APOLOGIES AND WELCOME

There were no apologies.

On behalf of the other Commissioners, Commissioner Dennis wished to congratulate the new team at the top, Convener Colin Kennedy and Vice-Convener IG Macdonald, on their appointments. Commissioners are looking forward to working with them.

The Convener thanked Commissioner Dennis for her kind words and the Commissioners who voted for them. He feels the Board is working well together and he hopes that will continue.

The Vice-Convener said that he felt yesterday's Policy Meeting had gone very well and the evening meeting had been a very good opportunity to discuss various issues together in a more informal way.

The Convener welcomed everyone to the meeting, especially Lucy Carmichael from Scottish Government and Asif Haseeb from Audit Scotland.

### 2 DECLARATION OF INTERESTS

None.

### 3 APPROVAL OF DRAFT BOARD MINUTE OF 24 JUNE 2015

The Minute of the Meeting of 24 June 2015 was approved.

#### 4 MATTERS ARISING FROM PREVIOUS MEETING

The Action Points from the previous meeting on 24 June 2015 were reviewed:

- Item 8, sixth bullet point, the Chief Executive advised that she has been in discussions with Sponsor Division about prioritising information received from the Census and Duties work, and she will write to the Minister on behalf of the Board, seeking approval for the approach that the Commission is going to be taking in terms of prioritising that work.

Lucy Carmichael advised that the Minister looks forward to receiving the Commission's consideration of how best to prioritise the Census work, and they look forward to receiving updates in due course.

- Item 8, seventh bullet point, the letters to crofters in breach of their duties will be issued in the last week of August 2015 - 300 crofters have been written to already.
- Item 9, letters have been sent to Assessors, RPID offices and staff, advising them of the changes to the Assessor's role, and the only negative comment received was from the Scottish Crofting Federation, who did not understand the reasoning for the change. That has now been explained to them and an Assessor's Newsletter will go out soon which will clearly explain the reason for the changes in the role, and why the changes were agreed, which was following the Assessors Conference in 2014.
- Item 14, third paragraph, in the 37 North Ballachulish appeal case, the Commission have written to all parties. The people who expressed demand have come back and said they are still interested, and a report is awaited from RPID. The Commission's Solicitor has written to the applicant's agent, MacPhee & Partners and they have said they are awaiting instruction from their clients.

#### 5 ADVANCED PAPERS FOR APPROVAL

##### (a) Grazing Constable

The Head of Policy presented the Paper and explained that the Paper had been seen at the last Policy in Development Meeting on 24 June 2015, and then had been e-mailed to Commissioners for comments. No negative comments had been received.

The Commission approved the Paper.

<b>Decision</b>	<b>The Commission approved the Paper.</b>
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##### (b) Outcomes from Policy Meeting on 4 August 2015

##### Decrofting Policy

Commission Solicitor, David Findlay presented the Paper, which consists of:

- A Paper analysing decrofting applications in relation to policy and the law, with particular emphasis upon the issue of 'reasonable purpose' and some of the issues that have arisen in the Eunson cases
- An annotated copy of the relevant section from the existing Policy Plan, with tracked changes showing suggested deletions and additions
- A clean copy of the amended Policy Plan for ease of reading only.

Following discussion, Commissioners agreed that they would like training on the definition of 'Natural Justice'.

In exercising their functions under Section 2 of the Act, the Commission must have regard to the impact of changes to the overall area of land held in crofting tenure and the sustainability of crofting, when deciding decrofting applications.

The Commission agreed that when a decrofting application is received for a Reasonable Purpose, the following criteria should be considered first:

- Purpose
- Extent asked for
- Location of the development
- Access to the remainder of the unit
- The views of the Estate if appropriate
- Any necessary statutory consents
- Any objections received.

The Commission agreed that when a decrofting application is received for a Non-Reasonable Purpose, the following criteria should be considered first:

- Desirability of overall area of land held in crofting
- Desirability of supporting population retention in the crofting counties
- Demand for croft land in the area
- General interest of crofting community (two or more crofts).

The Commission agreed that the applicant has to demonstrate that approving a non-reasonable decrofting application will not be detrimental to the overall area of land held in crofting tenure, and will have to demonstrate that there is not a crofting community. If there is a crofting community, the applicant will have to prove it will not be detrimental to the interests of that crofting community for the decrofting application to be approved. The applicant will have to answer any objections that are raised during the process to the satisfaction of the Commission.

Discussion took place about 'Demand' and the Chief Executive advised that Posy MacRae, Communications Manager is developing a campaign on 'Demand' and has been liaising with the SCF and the Woodland Trust to see if the Commission could get access to their list of demand.

The Chief Executive advised that she is happy to open discussions with HIE regarding having one place where people interested in obtaining a croft can register their interest.

Discussion took place about the word 'District' and the Commission agreed that generally the district will be the area covered by the Area Assessor, but this will be looked into and brought back to a future Board Meeting.

At point 69 of the Paper, the bullet points will be re-ordered 4, 2, 3 and 1, to be in line with the paragraph below at point 70.

The Commission approved all Mr Findlay's suggestions and track changes, subject to the points raised above.

The Commission wished to thank Mr Findlay for an excellent Paper.

<b>Decision</b>	<p><b>The Commission approved the Paper and wanted the following added:</b></p> <p><b>The Commission agreed that when a decrofting application is received for a Reasonable Purpose, the following criteria should be considered first:</b></p> <ul style="list-style-type: none"><li>• <b>Purpose</b></li><li>• <b>Extent asked for</b></li><li>• <b>Location of the development</b></li><li>• <b>Access to the remainder of the unit</b></li><li>• <b>The views of the Estate if appropriate</b></li><li>• <b>Any necessary statutory consents</b></li><li>• <b>Any objections received</b></li></ul> <p><b>The Commission agreed that when a decrofting application is received for a Non-Reasonable Purpose, the following criteria should be considered first:</b></p> <ul style="list-style-type: none"><li>• <b>Desirability of overall area of land held in crofting</b></li><li>• <b>Desirability of supporting population retention in the crofting counties</b></li><li>• <b>Demand for croft land in the area</b></li><li>• <b>General interest of crofting community (two or more crofts)</b></li></ul> <p><b>The applicant has to demonstrate that approving a non-reasonable decrofting application will not be detrimental to the overall area of land held in crofting tenure and will have to demonstrate that there is not a crofting community, or if there is a crofting community that it will not be detrimental to the interests of that crofting community, for the decrofting application to be approved. They will also have to answer any objections that are raised during the process, to the satisfaction of the Commission.</b></p> <p><b>Commissioners would like training on the definition of ‘Natural Justice’.</b></p> <p><b>The words ‘Demand’ and ‘District’ will be investigated and brought back to a future Board Meeting.</b></p>
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### **Resumption Policy**

The Commission Solicitor David Findlay presented the Paper and explained that in the 2007 Act the Commission was given the right to object to Resumption applications.

The Commission advised that they would like policy on Amenity Land produced and added to decrofting Policy, and that the Amenity Land should not exceed 0.15 ha. This will be worked on and brought to a future Board Meeting.

After discussion the Commission agreed that the Policy for Resumption will be to respond to Resumption applications where the total area, including the former decrofted or resumed area, is going to extend to more than 0.15 ha. Where that would not normally be decrofted the Commission will respond, but will use its discretion to decide whether or not it is appropriate to make a response with regard to any particular application, as there may be cases where it is not a good idea for the Commission to lodge a response.

### **Scheme for Development**

The Commission agreed to leave the Scheme for Development Policy at the moment as the Commission receives so few applications, but if an application is received, it should consider if the purpose is a reasonable one and if the development is fair or unfair.

The Commission would like the fourth bullet point at the top of the second page of the Paper to be re-worded.

It was agreed in principle that notifications of Resumption applications from the Land Court would be passed to the Regulatory Team initially, as they have more resources, but the Commission Solicitor and the Head of Regulation would discuss and confirm arrangements.

<b>Decision</b>	<p><b>The Commission would like a Policy developed on Amenity Land and added to decrofting Policy, and this will come to a future Board Meeting.</b></p> <p><b>The Commission agreed that the Policy for Resumption will be to respond to Resumption applications where the total area, including the former decrofted or resumed area, is going to extend to more than 0.15 ha. Where that would not normally be decrofted the Commission will respond, but will use its discretion to decide whether or not it is appropriate to make a response with regard to any particular application, as there may be cases where it is not a good idea for the Commission to lodge a response.</b></p> <p><b>The Commission agreed to leave the Scheme for Development Policy at the moment as the Commission receives so few applications, but if an application is received, to consider if the purpose is a reasonable one and if the development is fair or unfair.</b></p> <p><b>The Commission would like the fourth bullet point at the top of the second page of the Paper to be re-worded.</b></p>
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## **WOODLAND CROFTS AND CROFTER FORESTRY POLICY**

### **Woodland Croft**

The Head of Policy presented the Paper, which is provided for the purpose of considering Commission Policy in relation to woodland on croft land in terms of land use and, particularly, in relation to a crofter's duty to be ordinarily resident on, or within, 32 kilometres of their croft.

The Commission agreed that there should be no exception to a crofter having a duty to be resident on their croft, even if the croft is all trees, but applicants can apply for consent to be absent, which will be assessed on its merits.

The Commission discussed what would constitute an appropriate standard for Woodland Crofts and considered that the same phrase as used in the Act for conservation measures should be employed; that is “in a planned and managed manner”. The Commission wish to have this phrase defined. They would also like ‘Regeneration’ mentioned in the third paragraph of page one of the Paper, and linked in with ‘planned and managed manner’.

The Commission would then like the next Census form to have questions about woodland crofts added.

The Chief Executive advised that a group will get together to talk about this issue, with advice from Commissioners and possibly other bodies e.g. SCS.

<b>Decision</b>	<p><b>The Commission agreed that there should be no exception to a crofter having a duty to be resident on their croft, even if the croft is all trees, but applicants can apply for consent to be absent, which will be assessed on its merits.</b></p> <p><b>The Commission discussed what would constitute an appropriate standard for woodland crofts and considered that the same phrase as used in the Act for conservation measures should be employed; that is “in a planned and managed manner”. The Commission wish to have this phrase defined. They would also like ‘Regeneration’ mentioned in the third paragraph of page one of the Paper, and linked in with ‘planned and managed manner’.</b></p> <p><b>The Commission would then like the next Census form to have questions about Woodland Crofts added.</b></p>
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### **Croft Woodland in the context of National Policy**

The Head of Policy explained that the second part of the Paper was looking at Woodland Crofts in terms of the National context. The government is pushing for more woodland generally.

After discussion, the Commission approved the Paper and agreed that in order to try and promote woodland crofts, and the use of Section 50A, the Chief Executive will share the Paper with the Chief Executive of the Forestry Commission and say that the Commission is very supportive of the National Targets and could promote the scheme through the Assessor Network and possibly RPID.

<b>Decision</b>	<p><b>The Commission approved the Paper and agreed that in order to try and promote woodland crofts, and the use of Section 50A, the Chief Executive will share the Paper with the Chief Executive of the Forestry Commission and say that the Commission is very supportive of the National Targets and could promote the scheme through the Assessor Network and possibly RPID.</b></p>
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## **COMMISSIONER ELECTIONS**

The Chief Executive asked Commissioners if there were any areas, from their own experience following the last Commissioner elections in 2012, that they would like to see changed or improved.

Commissioners agreed that the main geographical areas were uneven and had to be changed, so that each Commissioner had an equal level of responsibility.

Prospective applicants need to know exactly what they are applying for, so clear guidelines of the job description are required.

It would be useful if prospective applicants were told the number of crofts in each geographical area, and the amount of regulatory activity in each area.

Training needs to begin before the elections.

Computer literacy is very important and needs to be a vital requirement.

Discussion took place about multiple owners of a croft and only one being allowed to vote. The Head of IS clarified that it is only crofters or owner-occupier crofters that can vote, or a crofter can nominate someone to vote in his/her place. Landlords of vacant crofts cannot vote.

The Head of Corporate & Customer Services advised that there would be an expectation to promote diversity amongst potential applicants.

The Chief Executive advised that she thought it would be useful for some young people interested in crofting to be mentored by current Commissioners, to give them an idea about what is involved in being a Commissioner, in case they were interested in applying in the future, and Commissioner Dennis and Commissioner MacLennan will be starting this very soon.

## **6 SHORT TERM WORKING GROUP UPDATES**

There have been no meetings of any STWGs since the last Board Meeting.

The Head of IS advised that the Grazing Census STWG will need to meet soon, with Commissioner Dennis and the Vice-Convener, and she will arrange this as soon as possible.

## **7 REPORT FROM COMMISSIONERS – EVENTS PLANNED AND/OR ATTENDED**

Vice-Convener – Attended a joint Registers of Scotland Community Mapping and John Muir Trust Meeting, met with SAC in Portree and the RPID office in Portree, made a Blog on Succession which is on the Commission website, will be on a crofting panel at the Belladrum Music Festival on 7 August, will be attending the Skye Show on 8 August, and the Lairg lamb sale.

Commissioner Swann – Attended a HIE meeting, will be attending a Balmacara Estate and National Trust crofting meeting on 27 August, and will be giving a talk to the European College on animal welfare associated with small scale agriculture.

Commissioner MacLennan – Met with the TIG Housing Manager, will be attending a local Community Development Meeting in Point, and will be attending the lamb sales later in August.

Commissioner Dennis – Attended a Registers of Scotland Meeting in Boat of Garten, attended a Hearing in Diabeg, will be attending the Grantown Show next week and has been asked to be a tutor at a Scottish Crofting Federation Crofters Course in Inverness.

Commissioner Pirie – Has not attended any meetings but hopes to attend two local shows in Orkney in August.

Commissioner Sinclair – Has not attended any meetings but will be attending a meeting with the Minister, Dr Aileen McLeod and Tavish Scott MSP in Shetland on 10 August, and will be attending the local show in Shetland on 12 August.

Commissioner Campbell – Attended and helped at the Scottish Land and Estate stand at the Game Fair in Perth, will be doing the same at the Black Isle Show on 6 August and the Moy Game Fair on 7 and 8 August. Attended a Hearing at Diabeg, attended the Complaints & Investigations Committee Meeting on 15 July, attended the Caithness Show and a Workshop Meeting between the Helmsdale crofting community and the Sutherland Estates. Attended the Sutherland Show, the Audit & Finance Committee Meeting and attended a Registers of Scotland Meeting in Inverness. Will possibly be attending a meeting with the Cabinet Secretary in Ullapool on 11 August and will attend the Lairg and Dingwall lamb sales next week.

Convener – Was umpire at the Tiree Show, attended the Complaints & Investigations Committee Meeting by teleconference on 15 July, hopes to attend the Black Isle Show on 6 August and will attend the Strontian Show, Lochaber Show, Dalmally Show, Appin Show and will attend the lamb sales.

The Commission agreed that a huge amount of work is being done by Commissioners in the background and it is good to highlight this.

## **8 ANNUAL REPORT**

Commissioner Swann, as Chairperson of the Audit & Finance Committee advised that from a Governance point of view, the Commission is in the strongest position it has been in since 2012, due to the fact that the Commission is an elected body, dealing with matters that involve those people who elected the body, with representation from landlord's interest, and the fact that the Commission now has good legal advice and good structures in place. There is still work to be done but overall the Commission is in a very good place.

Commissioner Swann endorsed Commissioner Dennis' comments at the start of the meeting and said that he thinks it is appropriate that an elected body should elect its own Convener and Vice-Convener.

Audit Scotland have given the Commission a clean bill of health with regards to their accounts and Commissioners wished to thank Neil Macdonald, Finance Manager for all the work he and his team have put into preparing the Annual Accounts for this year.

Asif Haseeb from Audit Scotland advised that he thought it was very important that the Annual Report was being discussed at the highest level and demonstrates good governance and practice. Overall the Annual Report was a balanced report with some recommendations, but Audit Scotland are very happy with the governance, accountability and performance issues and are relieved that the recent issues with the Commission have been resolved.

Mr Haseeb said it is now for the Board to recommend the Annual Report to its Accountable Officer, the Chief Executive, to certify the document and then the external Auditors will sign it off. It will then be laid before Parliament in week commencing 7 September 2015. It is only following this that the Annual Report becomes a public document along with the Auditor's Report.

The Convener recommended that the Chief Executive should formally sign the Annual Report and the Commission agreed.

Commissioner MacLennan entered the room at 09:45 hrs.

The Chief Executive formally signed the Annual Report.

The Commission thanked Mr Haseeb for all his help throughout the year and Commissioner Swann wanted to record how much he has appreciated his support over the last few months.

Asif Haseeb and Neil Macdonald left the room at 09:50 hrs.

The Convener wished to thank all the members of the Audit & Finance Committee, Neil Macdonald, Finance Manager and his team for all their work in drawing up the Annual Report.

## **9 AUDIT & FINANCE COMMITTEE REPORT**

### **(a) Update from Commissioner Swann**

Commissioner Swann began by highlighting the overview of work to be carried out by the Audit & Finance Committee in the coming year in the Annual Report on the AFC Paper.

The Anti-Fraud Policy will be going online in the near future and with that, guidance on conflict of interest of both Commissioners and staff. This is an Auditable Policy, along with Stakeholder Engagement Policy and Best Value Policy, and these will be the last major pieces of work for the current AFC.

The AFC will keep an eye on any risks involved with Regulatory Decision Delegation.

A regular report will come to the Board about Corporate Performance and a proper set of guidance notes will be produced for Commissioner equipment e.g. mobile phones, computers etc.

The Commission pointed out that it is very important for Commissioners to keep their Records of Interest up-to-date and to notify the Head of Policy if there are any changes to it, to prevent any conflict of interest.

The Chief Executive advised that a more structured method of holding that information needs to be devised, and this will be discussed by the Management Team.

### **(b) Draft Minutes from AFC Meeting on 27 July 2015**

Commissioner Swann advised that the Commission had been given a clean bill of health by the Auditors.

### **(c) Risk Register**

Commissioner Swann said that the biggest discussion at the AFC Meeting was about the balance of the Census returns and the processing of all the information received, and this has been added to the Risk Register as a high risk at number 040.

The Head of Corporate & Customer Services explained the Risk Register to Commissioners and advised that it has been changed this year to bring it more in line with priorities and the Corporate Plan objectives. Everything in green text is either new or amended, and everything in red text is closed and replaced with updated risks.

The Commission Solicitor pointed out that legal costs are an ongoing risk for the Commission and that the reputational risk of litigation should be a risk factor that the Commission should be aware of.

Commissioner Swann advised that he feels that risks are being managed adequately by staff, except for risk number 040.

The 10-year residency obligation cannot be dealt with as the Commission does not have the staff resources. The Chief Executive advised that she had had feedback from the Minister to say that as long as the Commission continues with cases that are open and brings them to a conclusion, then the Minister is happy for us to take our new approach and not be tied to the 10 year obligation. The Risk Register will be updated to show this.

The Chief Executive advised that the biggest risk to the organisation at the moment was the new computer system, and that is being managed very closely.

### **(d) Performance Measurement Report**

Commissioner Swann advised that the AFC had been re-assured by the Chief Executive that the production of the Performance Measurement Report was a straightforward system to implement and would not impact negatively on staff time. Commissioners will now have access to all the information that they should expect to receive regarding performance issues.

The Head of IS explained the Performance Measurement Report to Commissioners. The first two pages give a summary of priorities, milestones and measures. Each one is marked red, amber or green with red being the highest risk.

The Commission asked that they be advised at each Board Meeting of any risks marked red, and the Chief Executive agreed.

The Chief Executive advised that the Performance Measurement Report will be brought to each AFC Meeting and then to the following Board Meeting, and it would only come to the Board in between times if there was something significant that Commissioners needed to be aware of.

The information in the report will be passed to Sponsor Division quarterly.

The Senior Management Team will be looking at it on a monthly basis and the report can be revised if required.

The Commission approved all the Papers and the Chief Executive thanked the Head of IS for producing the Performance Measurement Report.

<b>Decision</b>	<b>The Commission approved the Papers and asked to be advised of any red risks in the Performance Measurement Report at each Board Meeting.</b>
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## 10 COMPLAINTS & INVESTIGATIONS COMMITTEE UPDATE

- (a) Update from the Vice-Convenor and
- (b) Draft Minutes from 15 July 2015

The Vice-Convenor advised that Schedule 1 section 13 of the Act says that the Convenor must Chair all meetings if he is present. As the Convenor was not physically present at the meeting he had to nominate someone else to Chair the meeting on his behalf, and he nominated the Vice-Convenor.

The Vice-Convenor went through the draft Minutes from the meeting and explained the Record of Complaints received for the period 1 April 2015 to 30 June 2015.

Concerns were expressed at the C&ICM about RPID reports being received late, which impacted on applications.

Committee members were satisfied that staff training on complaints was up-to-date and complaints were being logged correctly.

Discussion took place about an anonymous complaint and lessons learned for staff. The Commission is responsible for all information it is given and training will be given to staff and RPID staff in Great Glen House soon.

The next meeting of the Complaints & Investigations Committee will take place on 14 October 2015.

The Convenor thanked the Head of Corporate & Customer Services and everyone else on the Committee for their work.

## 11 STRUCTURE FOR DELEGATION

The Head of Regulation presented the Paper and explained that Commissioners had seen the Paper at the last Board Meeting and the only part that had been changed was the rolling out programme. The proposals at Part 2.1 on page 45 of the Paper will come in right away, once the new computer system CIS is implemented, which is hopefully going to be on 1 November 2015.

Following that, the other functions identified at 2.2 on page 46 of the Paper will be rolled out.

A meeting took place with officials, the Head of Regulatory and the Commission Solicitor recently to discuss Subletting, Short Term Let and Commission Consent for Absence. A meeting with the Delegated Decision Making STWG will take place in the next two weeks. Following that, a Paper will come to the next Board Meeting.

The Commission approved the Paper.

<b>Decision</b>	<b>The Commission approved the Paper.</b>
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The Chief Executive advised that once the Delegated Decision Making starts, 55% of casework will be delegated to staff.

Discussion took place about what will happen when new Commissioners come in in 2017 and how will they be introduced to the ordinary work of the Board. The Chief Executive advised that a Training Plan will be put together for them.

The Commission would like to be kept aware of how the delegated process is going, once it starts, and they would like to look at some cases and see how decisions have been made by staff. They would like to request that a Paper comes to the Board, setting out how the Audit Process and Compliance will take place.

The Chief Executive agreed.

<b>Decision</b>	<b>The Commission requested that a Paper be brought to the Board, setting out how the Audit Process and Compliance for Delegated Decision making will take place.</b>
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## **12 CONFIRM GRAZING REGULATIONS, GUIDANCE & OTHER MATTERS RELATING TO GRAZING COMMITTEES**

The Commission Solicitor presented the Paper, which the Commissioners saw at the last Board Meeting. Some changes have been made to it, including an amendment to the definition of Fixed Equipment.

The Grazing Regulations will no longer mention anything about Financial Management, but the Guidance will offer advice about financial matters. The Guidance will be e-mailed out to Commissioners and then come to the next Board for approval. The Commission agreed that the Guidance should state that Grazing Committees would be well advised to adopt a system for financial accountability.

Discussion took place about what to do if the Commission is notified about possible financial irregularities within a grazing committee and the Board agreed that it was not a matter for the Commission.

The Commission agreed that the wording at 3.4 on page 56 of the Paper should be changed to say 'The Commission will not, at its own hand, undertake any formal investigation into alleged financial impropriety. This is potentially a civil and/or criminal matter and should be dealt with by the relevant authorities.'

Once the Guidance is approved by Commissioners, it will be sent out to all Grazing Committees and displayed on the Commission website.

The Commission Solicitor advised that e-mail communication to notify shareholders about meetings would be added to the Guidance.

The Commission Solicitor advised that there should be a public advertisement in a newspaper to advertise a meeting to appoint a new Grazing Committee and after discussion the Commission agreed. This new information will need to be publicised to Grazing Committees and put on the Commission website.

The Chief Executive advised that a Paper will come to the next Board Meeting to look at advertising in newspapers and local newspapers, and the implementation of this change will not take place until the Paper is approved.

<b>Decision</b>	<p><b>The Commission approved the Paper and agreed that once the Guidance has been revised, it will be e-mailed to Commissioners for information and comments, and then come to the next Board Meeting for approval. The Guidance should recommend that Grazing Committees would be well advised to adopt a system for financial accountability.</b></p> <p><b>The Commission agreed that allegations of financial irregularity within Grazing Committees was not a matter for the Commission.</b></p> <p><b>The Commission agreed that the wording at 3.4 on page 56 of the Paper should be changed to say 'The Commission will not, at its own hand, undertake any formal investigation into alleged financial impropriety. This is potentially a civil and/or criminal matter and should be dealt with by the relevant authorities.'</b></p> <p><b>The Commission agreed that there should be a public advertisement in a newspaper to advertise a meeting to appoint a new Grazing Committee, and this new Policy will have to be cascaded to all Grazing Committees and displayed on the Commission website.</b></p>
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### 13 LAND REFORM

The Head of Policy presented the Paper. The Land Reform Bill was introduced to the Scottish Parliament on 22 June 2015, and the Rural Affairs Committee for Climate Change and the Environment (RACCE) has requested views on the general principles of the Bill from the Commission by 15 August 2015.

After discussion it was agreed that the Head of Policy would ask for an extension to the deadline for comments, and he and Commissioner Campbell and Commissioner MacLennan will meet/teleconference and put together a response on behalf of the Commission, which will be e-mailed out to Commissioners for comment and must be replied to immediately.

<b>Decision</b>	<p><b>The Commission agreed that the Head of Policy will ask for an extension to the deadline for comments on the Land Reform Bill and meet/teleconference with Commissioner Campbell and Commissioner MacLennan to put together a response on behalf of the Commission, which will be e-mailed out to Commissioners for comment and must be replied to immediately.</b></p>
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### 14 DATE OF NEXT MEETING

16 September 2015 – Great Glen House

## **15 ANY URGENT BUSINESS**

- The Chief Executive advised that Commission staff had a stand at the Black Isle Show on 5 August and the Belladrum Music Festival on 5 to 7 August. The Vice-Convener is taking part in a Question and Answer Panel at Belladrum on 7 August.
- The Chief Executive advised that the Minister will be visiting Shetland on 10 August and the Cabinet Secretary is possibly visiting Ullapool on 11 August, and the Commission has provided briefings for both of these visits.
- The Chief Executive advised that she has been having discussions about promoting diversity in Boards and it has been agreed that a mentoring programme for potential young crofters will begin with Commissioner Dennis and Commissioner MacLennan initially. The young people could attend a Board Meeting to see what that involves, and get a tour of the office. Five young people showed an interest in this at the Gathering of Young Crofters in Assynt in March 2015.
- The Commission asked for a copy of the revised Policy Plan to be sent out to them and the Head of Policy will arrange for this to be done.
- The Commission enquired as to what is happening about Commissioner appraisals and the Chief Executive advised that as soon as the new Convener has had training, appraisal interviews will be arranged with each Commissioner.
- The Chief Executive advised that the Highland Leader group have asked if any Commissioners or staff wish to be involved in a local appraisal group. No Commissioners or staff are available to take part in this and the Chief Executive will reply to Highland Leader and advise them of this.

## **16 EXCLUSION OF THE PRESS AND PUBLIC**

The meeting ended at 13:25 hrs.