

Rural Affairs and Island Committee

Crofting and Scottish Land Court Bill fact-finding visit to the Isle of Skye

Finlay Carson, convener, and Alasdair Allan travelled to Skye to meet with crofters as part of the Rural Affairs and Islands Committee's stage 1 inquiry into the Crofting and Scottish Land Court Bill. The visits were facilitated by the Scottish Crofting Federation. A committee clerk and SPICe researcher also took part in the visit.

Committee members heard the overall view that the Bill is not the fundamental reform of crofting legislation that some crofters have been hoping for but that it does provide some useful tools and adjustments to existing legislation to make a difference.

Committee members heard some concerns that existing legislation is not being enforced effectively and that this would also impact on the effectiveness of the Bill's provisions.



Finlay Carson MSP, Convener, and Alasdair Allan MSP meeting with Hanno and Anna from West Coast Organics

Theme 1 – Environmental use of crofts

Committee members heard support, and some enthusiasm, for the fact that crofters would be able to use their crofts for environmental activities such as water management, habitat creation or peatland restoration.

This was combined with a strong concern that the new environmental use could be taken advantage of by absentee crofters. The fear was that claims could be made that neglected crofts were being put to environmental use and there were calls for safeguards to be put in place to prevent this.

Theme 2 – Enforcement of crofters' duties

The enforcement of crofters' duties by the Crofting Commission overshadowed many of the conversations that Committee members had with crofters. All the crofters the Committee members spoke to expressed concerns that the Crofting Commission is not doing enough to enforce the powers that it currently has in relation to crofters' duties. This applied both to absenteeism and neglect; often the two were synonymous with one another.

The crofters the Committee members met with questioned the extent to which the proposed changes would have any impact. For example, when discussing the section 3 provisions regarding allowing subtenants and short leaseholders to report breaches, the view was that no-one wants to report their neighbours and, if they do, nothing tends to happen.

Committee members heard about instances when grazing committees' duty to report on other crofters in their township had caused a high level of distress and there was a view this was deeply unfair to active crofters. The proposed removal in the Bill of this requirement was welcomed.



Finlay Carson MSP and Alasdair Allan MSP meeting with Donald and Sue Murdie and other crofters in the township of Galtrigill

Theme 3 – Crofting Commission powers

There was strong support for the prohibition on transfers of owner-occupied crofts to private companies, as proposed in section 10. Committee members heard concerns, however, about the impact of this provision on community partnerships that own crofts and are engaged in good and effective croft management, with some crofters being involved with, or aware of, such partnerships.

Theme 4 – Grazing committees

Committee members saw that the activity of grazing committees varies drastically. Whilst the Committee members heard about two grazing committees that were relatively active and a great example of a committee engaging in mutually beneficial schemes such as a sheep stock club and hydroelectric scheme, they were also told that this level of activity is not commonplace. Additionally, and even within active committees, there are many members who do not engage.



Cheryl McIntyre, member of the North Talisker grazing committee, discussing the common grazing's sheep stock club with Finlay Carson MSP and Alasdair Allan MSP



Cheryl McIntyre, member of the North Talisker grazing committee, discussing the common grazing's hydro electricity company with Finlay Carson MSP

The first grazing committee representative the Committee members met was part of a small committee that met every 2 or 3 months. One crofter who was not involved in this grazing committee suggested that this level of activity was exceedingly rare.

The issue of unattached shares – whereby a croft is sold without the common grazing share, either deliberately or for another reason – was raised by many crofters. Committee members heard from one crofter who, after nine years, has still not been able to acquire a share in his common grazing.

Committee members heard that some shares are still attached to deceased crofters or retained by people no longer involved with crofting. Committee members heard concerns about land speculation in association with these unattached shares.

Theme 5 – Crofting register

Committee members did not hear in-depth views about the crofting register other than some of the provisions in the bill seeming to make sense. For example, fees for application being paid directly to the Keeper rather than via the Crofting Commission.

Theme 6 – administrative changes

Committee members did not hear in-depth views about the administrative changes as they largely relate to the Crofting Commission and not crofters themselves.



Alasdair Maclean, a fifth generation crofter near Dunvegan, discussing the issues facing his meat production business.

Issues outside of the Bill's scope

Other issues that sit outside the scope of the Bill were also discussed. This included the cost of croft land being excessively high, especially on Skye, and the impact on a large cohort of very keen young people who want to start crofting and land instead being bought for speculation or other uses.

This ran alongside the wider issue of decrofting and housing, with many crofters having to buy croft land without an attached house.