

CROSS-PARTY GROUP on CROFTING

Meeting 18 of Parliamentary Session 5

Scottish Parliament, room Q1.03

Wednesday 30 January 2019, 5.30pm

MINUTES

Present:

Rhoda Grant MSPⁱ (Convener)
Patrick Krause SCF (Secretary)
John Kerr SG
Michael Nugent SG
Rhona Elrick RoS
Chris Martin IPSOS MORI
Carolyn Black IPSOS MORI
Pete Ritchie Nourish Scotland
Stephen Leask SIC
Neil Ross HIE
Clare Slipper NFUS
Richard Frew RoS
Bill Barron CC
Rod Mackenzie CC
Darren Laing BBC
Irina Timonina RESAS

Donald Cameron MSP
Ann Bruce Uni of Edinburgh
Rachel Warren IPSOS MORI
Brian Inkster CLG
Katy Dickson SLE
Malcolm Mathieson CC
Donald Bruce Edinethics Ltd
Kevin Patrick LANTRA
Donald Meek crofter
Alasdair Allan MSP
Brendan O'Hanrahan SCF
Russell Smith SCF

1. Welcome and Apologies

The convener welcomed everyone. Apologies were received from:

Siobhan MacDonald SAC; Mairi MacKenzie CC; Gordon Jackson SG; Michael O'Neil SG; Jamie McIntyre WCP; Tavish Scott MSP; Anne Campbell CALLP; Iain MacIver CC; Ross McLaren SCRG; Gail Ross MSP; Emma Harper MSP; Fiona Mandeville SCF; James McPherson SCF; John Scott MSP; Billy Neilson CC; Yvonne White SCF; Eleanor Garty WTS; Liz Barron-Majerik LANTRA Scotland; Murray McCheyne SLE; Edward Mountain MSP; Janette Sutherland SAC; Donald Crichton CnES; Murdo MacKay CnES; John Finnie MSP; Angus MacDonald MSP; Graeme Dey MSP; Donald MacKinnon SCFYC; Padruig Morrison SCFYC; Robin Haig SCFYC; Maria de la Torre SNH; Rosemary Champion SHS; Lucy Sumsion NFUS; Sandy Murray NFUS; Steven Thomson SRUC.

2. Minutes of previous meeting

The minutes of the previous meeting held on 12 December were approved.

3. Matters Arising

There were no matters arising from the minutes.

4. Good Food Nation

4.1 Pete Ritchie (Nourish Scotland) gave an overview of the Scottish Food Coalition's view of the GFN policy paper and possible bill (slides have been circulated).

The Scottish Food Coalition is a civil society organisation comprising some 25 member organisations (<http://www.foodcoalition.scot/>) It has produced a series of policy papers including 'Plenty'. It will be contributing a response to the SG Good Food Nation consultation which closes 29 March*.

Scottish government policy background: 2009 Recipe for Success" – first cross-cutting food and drink plan, strong industry focus; "Becoming a good food nation"– sharper social and environmental commitment.

Relevance to crofting: Right to food approach very much part of food sovereignty – food for people rather than food as a commodity; food affordability a challenge in rural areas; indicators of success in food system are social and environmental, not just economic; a framework bill should shape how we support farmers to produce food.

The SFC has five 'asks':

- Cross-cutting framework bill with right to food as cornerstone
- National food plan, discussed in Parliament (like climate change plan)
- Duties on public bodies
- Independent body to monitor and report on progress to parliament and chase progress
- Statutory sectoral targets

4.2 Michael Nugent, SG, gave a brief on the SG position regarding GFN prepared by Aileen Bearhop, Head of Good Food Nation Team, SG

Scottish Ministers remain committed to the Good Food Nation vision which was first introduced in 2014 through the new National Food and Drink Policy – Becoming a Good Food Nation. The policy set a new vision for Scotland, by 2025, to be a Good Food Nation where people from every walk of life take pride and pleasure in, and benefit from, the food they produce, buy, cook, serve and eat each day.

The Good Food Nation vision recognised that change is required to achieve this ambitious aim, for example change to culture, to production practices and to health.

Some elements of that vision continue to resonate for crofters. For example:

- everyone in Scotland has ready access to the healthy, nutritious food they need.
- dietary-related diseases are in decline, as is the environmental impact of our food consumption.
- Scottish producers ensure that what they produce is increasingly healthy and environmentally sound.

The Good Food Nation is about so much more than agriculture. It is very much a cross Government policy, with contributions being made by health, education, waste, procurement and social justice, amongst others.

A great deal of good work has already been done to contribute to the Government's Good Food Nation ambition. This is why, in September, Ministers published their Programme of Measures. This sets out the many activities that are already being done – or are planned – to further the Good Food Nation vision.

The activities already contributing to the Good Food Nation ambition are wide-ranging but some are closer to home for the crofting community. For example:

- CAP payments to support producers and encourage environmental benefits.
- the provision of support for innovative projects under the SRDP Knowledge Transfer and Innovation Fund.
- the Agriculture Weather Advisory Panel to share information and best practice and improve the resilience of farmers and crofters – which in turn helps support secure and continued food production in Scotland.

In the Programme of Measures, Ministers acknowledged that legislation might be required to underpin the good work already being done.

A consultation on Good Food Nation Proposals for Legislation was published in December. The focus is on a straightforward framework placing responsibilities on Scottish Ministers and selected public bodies with regard to food. These responsibilities might revolve around a requirement for a statement of policy on food to be published, adhered to and reported on. The proposal is for a narrow piece of legislation but it is recognised that future targeted legislation in other policy areas – for example rural policy, health or diet – will continue to contribute to delivery of the Good Food Nation.

The proposals for legislation do not impact specifically on crofters but Government expects all businesses to play their part in taking forward the Good Food Nation agenda.

CPG members are encouraged to respond to the consultation, which closes on 29 March*. Government is interested to hear your views.

* [*Sec note: the consultation has been extended to 18 April*]

Round-table discussion:

Question: Do any nations have the right to food?

Answer: Yes several, e.g. Norway, Brazil.

Comment: It would need to be worked out, what the right would include, how it would be enforced etc.

Comment: It should be a carrot approach, not a stick – it should be positively encouraged.

Comment: It would be a statement of rights and responsibilities, like the Land Reform Act.

Question: How do we get profitability back into food production?

Answer: The Agriculture Wages Board is there to ensure agricultural workers get paid a fair wage. The 'income support' measures in CAP are there to support producers but are not what farmers and crofters want – they want a fair price for produce understandably; but is the public willing to pay this?

Question: How do we avoid this bringing further 'red tape'? Will there be further discussions? On fertiliser use for example?

Answer: It is about using resources more efficiently, and everyone wins. A lot of fertiliser is wasted, wasting money and causing pollution. Indicators would be developed; the bill would not be prescriptive, but rather would indicate intentions such as efficient use of resources.

Comment: Suggested practical initiatives are welcome, such as the use of mobile abattoirs. Crofters need to see a campaign like this translated into practical action.

Answer: The bill would be quite 'high level' but would help to guide, through a framework, outputs, leading to outcomes.

Question: Will the trend be moving away from meat consumption (and production) to vegetables?

Answer: Setting dietary targets is important and could be in the bill, but the bill is more likely to have high-level intentions such as reducing diet-related disease and lowering environmental impacts.

Comment: Most of our red meat is exported, but farmers and crofters are transitioning.
Comment: Islands are becoming more dependent on mainland for food, even milk. This bill could support more self-sufficiency, high quality local food provision. Young people particularly are trying to do this but get no support.

Question: How will this policy fit with existing policy, for example the need to have a new agricultural support system? How will they connect?

Answer: The immediate need is for legislation for Day 1 post-Brexit; that is what SG is concentrating on. It will then bring forward provision for longer-term rural support, taking into account all aspects.

Question: 'Indicators' were mentioned; crofting has much embedded in social and environmental benefits which may be difficult to measure. Can we go beyond economic indicators?

Answer: Some environmental indicators can be measured; soil quality, water quality, pollution levels and so on. Social cohesion is harder to measure; food has a social value both in production and consumption. Food is not just a product, it is a culture and is intrinsically tied into people's quality of life. But yes, difficult to measure directly.

Comment: The questions asked in the consultation are closed on the whole. If they are too restrictive append a paper.

5. Crofting Development: Economic Condition of Crofting

Carolyn Black, IPSOS MORI, presented the research on the Ipsos MORI and RESAS research 'Economic Condition of Crofting 2015-2018' which was published in December. Her slides have been circulated.

The survey is carried out every 4 years as a statutory duty under Section 51 of the Crofting Reform (2010) Act. 4000 surveys were sent out and 739 returns; a response rate of 18%.

Headline stats:

Crofters tend to be older than the general population, majority are male and have been crofting for over 20 years. This has remained largely unchanged since 2014. The main difference has been an increase in respondents who are female.

There are more new entrants and an increase in diversification (NEs more likely to diversify; tourist accommodation etc), though the majority are still livestock and crops (as in 2014). The proportion of those working only on the croft has decreased and there has been an increase in households that have no-one working on the croft or other earning activities.

Income from crofting still averaging about £2000 and off-croft income has increased. Housing costs have risen. Investment in the croft has risen but planned investment (next 3 years) is less.

Just over a third of crofters had sought advice in the last 12 months. Awareness of advice could improve – Crofting Commission or local assessor most common source.

It's most common for crofters to want postal communications although there has been an increase in preference for email.

Off-croft work and diversification seen as the future of crofting. Crofters want more support from SG and CC.

Round-table discussion:

Question: What was the proportion of full-time crofters?

Answer: It is falling

Question: What was the income split – can you identify what proportion comes from subsidies?

Answer: This was not separated out.

Comment: That's a shame as source of income is important – if there is no income there will be no crofting.

Answer: We have to get a balance of questions even if we want more detail; if the questions are too detailed people won't respond.

Comment: Zero revenue might not mean zero activity.

Comment: It is interesting that more young crofters are coming in and seeing alternative ways of using crofts. Generally younger folk will probably look at different enterprises like market gardens, and we must not hinder them with 'traditional'.

Question: How does this survey relate to the CC census?

Answer: We will see this when it is analysed. They will complement each other.

Question: Is the lack of future investment indicative of a decline in crofting?

Answer: Not necessarily.

Question: Does the full report have more information of full versus part-time crofting?

Answer: We did look at full and part-time but this may not be in the detail you are wanting.

Question: There is significant non-crofting income – is this diversification?

Answer: No, this refers to off-croft income.

Question: What was the response rate compared to last survey?

Answer: It was slightly higher in 2014; we used the same number of questions, same reminders etc, so the decrease indicates something else going on.

Comment: There are some interesting figures in this; housing costs having significantly increased; and surprises – the number of crofts not being worked, the number not knowing of CAGS.

Answer: SG take the information gained from this survey on board; more publicity of grants will go out for instance. And information is used for future planning.

Comment: There is a profound lack of awareness of FAS. There clearly needs to be a lot more promotion of FAS, especial the one-to-one side of it.

Question: Are crofters charged for the FAS service?

Answer: Yes.

Comment: Croft income may be too low to support the cost of FAS.

Comment: There is probably not enough information in the survey to be able to determine what crofters actually do.

Answer: We plan on doing more detailed research.

6. Crofting Administration

Bill Barron, CC, gave an update on Commission business, focussing on some of the initiatives planned for the future rather than on events since the previous CPGoC meeting in December.

The Commission are continuing to closely monitor pressure on the regulatory teams to ensure there is no repeat of the backlog problems from the summer. There are also a range of plans to improve the efficiency of regulatory work in future. A possible 'triaging' system was being considered, to identify applications which were at high risk of rejection: it might be worth pointing this out to the applicants early, so that they could consider whether to modify. Work was also now under way to draw up a spec for a future system of on-line applications.

Bill reported that the Commission had been carefully considering, with Highland Council, how it could best focus its input to Council planning decisions. It was hoped that Council officers would be able to draw to the Commission's attention those applications for which crofting considerations were likely to be critical to the outcome, so that Commission staff could focus exclusively on these cases. Discussions with the Council had gone well, and these principles were now being tested with some live cases.

The Commission was developing guidance on common grazings, for publication in the near future. This document had been carefully written, to give a definitive position on several issues which had caused controversy or confusion for grazings committees in the past, and also to define the extent of the Commission's own responsibilities in respect of grazings committees.

Finally, Bill informed the CPG that the Commission would shortly be beginning work to develop ideas for the Phase 2 reform of crofting legislation, which it was hoped would be completed in around 18 months. The Commission would welcome discussion with other stakeholders about these matters as the work progressed.

7. Crofting Support

Michael Nugent, SG, gave an update on support schemes and other SG business.

Croft House Grant Scheme: 15 applications have been received in the December tranche. 13 eligible – 9 approved. Grant approved £312k. Next tranche 1 March 2019.

Staffing: Gordon Jackson is currently on holiday, on his return he will be taking up a temporary position (3 months initially) as ARE Brexit Co-ordinator. Michael O’Neil will take over the line management responsibility for Gordon’s team as an interim measure.

Crofting Bill: Work on developing content of a Bill is continuing. Officials have been working on proposals where stakeholders have raised specific points that require in depth consideration. Next meeting of Bill Group is in early March to discuss any issues that remain outstanding on the changes that have been identified to be taken forward in a Bill.

Round-table discussion:

Question: Perhaps the parameters of CHGS need to be revised; for instance why can't the croft house be used for croft business e.g. 'cottage industry'?

Answer: There was a whole-scale revision of CHGS in 2015 which involved stakeholders and CHGS is constantly monitored and revised periodically, with participation of stakeholders. It is a housing grant, not a business grant and the scheme is designed for those who need help to get a house.

Comment: More advice is needed then for where to get help for businesses.

Answer: Business advice is delegated to local authorities – Business Gateway. Also we are working on information fact-sheets for new-entrants.

Comment: SCF training programme provides lots of information for new-entrants; unfortunately the funding is running out.

Question: Will LFASS payments reduce to 80% of current and then 40%? What will SG do to mitigate?

Answer: Scotland is the only LFA in UK. Because of EU rules it has to reduce to 80% and then to 40% the following year. However, the intention is to keep support payments at about 100% to the same recipients; the Cabinet Secretary has made this commitment; officials are looking at how to do this as the payments cannot be under LFASS.

8. AOB

1. There are 3 points in crofting law that need to be noted and kept 'live':

1. A party with an interest must have a right of appeal to the Scottish Land Court, the competency of that appeal must be beyond challenge and the Act must be clear and unambiguous.
2. The Crofting Commission as regulator must have the power to regulate.
3. A Common Grazings Committee together with the shareholders in the common grazing must have the power to achieve incorporated status with limited liability.

There is not time to discuss these in detail now but SCF will send a note to the Bill Team.

2. There is a large increase in reports of predation by sea eagles. There is endless discuss but no action. Crofters’ complaints are not being heard, crofters are not being treated with the respect they deserve. The situation is getting worse – figures of 300-400 lambs missing are being reported; adult sheep being attacked as well as lambs. Apart from financial losses, it is very demoralising. There seems to be unbalanced protection of sea eagles – what about the golden eagle? It too is threatened by the sea eagle – it is taking the food from the golden eagle.

3. Deer are a big problem for crofters but crofters’ complaints are not taken seriously. SCF is attending deer management round-tables.

Agreed: it would be useful to ask SNH to a future meeting to discuss predators and pests.

Action: Sec to invite SNH to future meeting.

9. DONM.

Friday 29 March, Great Glen House, Inverness

i **Acronyms:** AECS Agri-Environment Climate Scheme; AF Assynt Foundation; CAB Citizens Advice Bureau; CALLP Coigach & Assynt Living Landscape Partnership; CBS Community Broadband Scotland; CC Crofting Commission; CAGS Crofting Agricultural Grant Scheme; CCx Crofting Connections; CFS Care Farming Scotland; CHGS Croft House Grant Scheme; CLG Crofting Law Group; CLS Community Land Scotland; CnES Comhairle nan Eilean Siar; CRSF Crofting Register Stakeholder Forum; CWA Community Woodlands Association; DEFRA UK Gov Dept. for Environment, Food and Rural Affairs; EC European Commission; ECCLRC Scottish Parliament Environment, Climate Change and Land Reform Committee; EFNCP European Forum for Nature Conservation & Pastoralism; FCS Forestry Commission Scotland; FFRWG Freight Fares Review Working Group; GFN Good Food Nation; HIE Highlands & Islands Enterprise; HSCHT Highland Small Communities Housing Trust; JHI James Hutton Institute; LANTRA Land-based & Environmental Industries Training; MSP Member of the Scottish Parliament; NDPC National Development Plan for Crofting; NFUS National Farmers Union Scotland; NGMRG National Goose Management Review Group; NISR Newcastle Institute for Social Renewal; NRMHF National Rural Mental Health Forum; NS Nourish Scotland; NTS National Trust for Scotland; RECC Scottish Parliament Rural Economy and Connectivity Committee; RoS Registers of Scotland; RSABI Royal Scottish Agricultural Benevolent Institution; RSPBS Royal Society for the Protection of Birds Scotland; SAA Scottish Assessors Association; SAC consulting arm of SRUC; SAS Soil Association Scotland; SCF Scottish Crofting Federation; SCFYC SCF Young Crofters; SCRG Scottish Churches Rural Group; SCVO Scottish Council for Voluntary Organisations; SFT Sustainable Food Trust; SG Scottish Government; SGCLSG Scottish Government Crofting Legislation Stakeholders Group; SGCSF Scottish Government Crofting Stakeholder Forum; SGRPID (RPID) Scottish Government Rural Payments and Inspections Directorate; SLE Scottish Land & Estates; SNH Scottish Natural Heritage; SPICe Scottish Parliament Information Centre; SRA Scottish Rural Action; SRN Scottish Rural Network; SRP Scottish Rural Parliament; SRUC Scottish Rural (University) College; SHS Small-Holder Scotland; THC The Highland Council; UHI University of Highlands and Islands; WCP Woodland Crofts Partnership; WTS Woodland Trust Scotland.