

CROSS-PARTY GROUP on CROFTING
Meeting 5 of Parliamentary Session 4
Scottish Parliament, room TG20-21
Wednesday 8th February 2012 at 17.30

MINUTES

Present:

Jean Urquhart MSP (Chair)
Patrick Krause SCF (Sec)
Hugh Donaldson HIE
Amy Corrigan RSPB
Murdo MacLennan Crofters Commission
Russell Smith SCF
Lucy Sumsion NFUS
Jo Durno NFUS
Paddy Zakaria SCF
Jean Balfour SL&E
Jim Lugton SCF
Andrew Midgley SL&E
David Smith SCF
Nick Reiter Crofters Commission
Richard Frew Scottish Government Crofting Team
Kim Karam office of Tavish Scott MSP
Dave Thompson MSP
Maria Schulten SCF

1. Welcome and Apologies.

Jean Urquhart welcomed everyone. Apologies received from:

Jamie McGrigor MSP; Derek Flyn SCF; Norman Leask SCF; Gwyn Jones EFNCP; Rhoda Grant MSP; Katrina Marsden SPICe; Billy McKenzie Scottish Government; Nigel Miller NFUS; Sarah Anderson NFUS; Elaine Murray MSP; Tavish Scott MSP; Murdo MacKay CnES; Rob Gibson MSP; Isobel McCallum Highland Council; Alasdair Allen MSP; Norman McGaskill SCVO.

2. Minutes of the previous meeting

Minutes of 14.12.11 agreed subject to amendment: Murdo MacLennan appearing in Present and Apologies – he was present.

3. Matters arising

Letter sent to Cabinet Sec (Lochhead) regarding representation of crofting on advisory groups sent – awaiting reply.

Asulam herbicide stocks should have been used by 31 December '11. Unused stocks need to be allowed to be used up or disposed of safely. Are there collection points? There is an urgent need for an alternative herbicide or a change in policy to allow this chemical to be used for bracken control. There is a Bracken Control Group (BCG).

Action: LS will find out more about Asulam pesticide disposal and BCG.

4. Common Agriculture Policy (CAP)

SCF presented a paper on an enhanced support mechanism to replace the Crofting Counties Agricultural Grant Scheme (CCAGS) which would incorporate measures from The Land Managers Options (LMO) and the Rural Priorities (RP) menus of the Scotland Rural Development Programme (SRDP). A survey showed that CCAGS use had dropped because crofters are under-resourced and so could not match the funding or bear the up-front costs and delay in repayment. So a more versatile, croft friendly scheme is proposed. It was emphasised that there needs to be a croft-only support programme that has additional incentives for crofters as they are the only sector in land management and food production that has additional regulation imposed upon them.

It was agreed that no matter what, CCAGS needs urgent reform. The Scottish Government meanwhile need to process claims in time. Also they can go higher than 50% grant-aid, so why don't they? Costs in peripheral areas are much higher.

Scottish Crofting Federation (SCF) had pressed for a crofting working-group on the Future CAP stakeholder group, but it was declined as it was felt that crofting should be a consideration in every working-group (cross-cutting). National Farmers Union Scotland (NFUS) had also asked the minister for a crofting working-group.

The SRDP development process has set up 8 working-groups. Should there be a 9th for crofting?

A sub-programme of the SRDP for Highlands and Islands was suggested. It would ensure that support for crofting would be better targeted than at present. A crofting-specific support scheme could exist within a H&IRDP. Looking at SRDP spend figures it is clear that it is far too low in H&I, especially in the more peripheral areas. There is a precedent – the last ABDS was H&I only and the rest of Scotland had a separate scheme.

It was agreed that there are no LMOs that crofters would take up and that RP had some appropriate measures but that you need a paid advisor to prepare the proposal – too expensive for crofters. It was suggested that if all the deficits of the present SRDP were addressed then this could mean that it would be appropriate to crofting? But this doesn't address the crofting-specific support as suggested in the paper.

The proposals in the SCF paper were widely supported – useful and would not incur additional cost to SRDP. It was agreed that the current SRDP does not deliver for crofting and the next phase must.

Action: PK to organise a sub-group of the CPG to meet with the leader of SRDP development team, Billy McKenzie.

5. Update on implementation of the Crofting Reform Act 2010

Implementation of the Act is on schedule. The nominations for the crofting commission **elections** have seen a good turnout – except Orkney and Caithness which only had one nomination. 16th March is Election Day. The electoral roll goes to the returning officer by 16th February and the aim is to have election papers out by 27th Feb. They have to be returned by 15th March.

The ratio of commissioners to crofters in the Western isles is far less than other areas – causing concern. This may not be the problem it seems as the commissioners are not representative of the area that voted for them. This in itself is confusing as voters will assume that the commissioner they vote for is their representative on the commission.

The fact that the landlord appointee was not from a community-owned estate was felt to

be very disappointing. What message does this send out about the Scottish Government's commitment to community ownership? What were the criteria by which the landlord candidate was assessed in recruitment?

It was also felt that appointees should be selected after the elections – as a means to fill in gaps.

Who was on the interviewing panel? What expertise did they have, did they have experience of crofting, of Gaelic? What criteria did they interview against?

Also queries about boundaries in East Sutherland.

Action: Letter from the group to the Minister (Stevenson) asking for clarification on these issues.

The new **Crofting Commission** will come into office on 01 April. They will need to move quickly on The Plan as they have to have it ready (following 12 week consultation) by end of September. The interim plan used by the crofters commission may help.

The convenor may be selected by the commissioners at their first board meeting (19th April probably) and if they do not select one then the minister has the right to appoint.

Consolidation of the Crofting 2010 Act (to include the Smallholders Act) was raised again (it is a standing item on this agenda). This needs to take place after implementation of the Act. It must not be allowed to slip as it is crucial. Consolidation was agreed by both Mike Russell and Roseanna Cunningham when they were in the ministerial role for crofting. It should be straight forward, requiring no primary legislation, no debate, just consolidation of previous Acts.

There was discussion on Land Reform but was felt to be out-with the remit of this item. The committee for environment, rural affairs and climate change will look at land reform later this session.

The 3rd Commencement Order relating to the **Crofting Register** is under preparation and should be ready for autumn 2012. There will be one year for voluntary registration before the 'triggers' are put in. Actually 3 phases – 1.fees and rules; 2.the register; 3.the triggers.

How the Crofting Register (Registers of Scotland - RoS) and the Register of Crofts (Crofting Commission) will interact is still unclear. There is grave concern that information relating to crofts pertaining to rights and responsibilities could be lost if it is not gathered soon and kept on one of the registers. The SCF crofting community mapping project could gather some of this information but it needs to be kept in an official capacity on the registers.

Highlands and Islands Enterprise (HIE) is eager to assist in any community mapping, in support to communities. This is very welcome. There is expertise in the Community Land Unit and HIE are a possible funding partner.

RoS have provided some information on requirements and will have further details by end of March. SCF are putting a community mapping guidance together which will incorporate this information.

Scottish Government Rural Directorate are developing a new IT system for the Integrated Administration and Control System (IACS) mapping – why do they not use their technology and resources to help map croft boundaries as well as claimed areas? Both use the same technology. There appears to be a 'disconnect' with two parts of Scottish Government doing things separately that logically should be joined-up.

There is an urgency to get the Crofting Register populated to make it effective, but it is recognised that it will be a long process (the land Register was started 30 years ago and is far from complete).

The fees for registration have not been established yet and there will be a discount for groups of 10 or more registering together. The government have put aside £100,000 to help with this (not to be divided amongst all crofts but rather to give a meaningful discount to the first groups to register).

It was agreed that the Crofting Act will inevitably need a review at some point as there are many unresolved issues.

6. AOB

Road Equivalent Tariff (RET); the proposed cut will impact on Western Isles crofters and the Lewis Crofters cooperative. There doesn't seem to have been a proper consultation or economic impact assessment. This affects smaller carriers mostly.

It is estimated that the cost of livestock will increase by 106%. Traders won't be willing to buy island animals.

It has been suggested that the reductions in transport costs due to RET were not passed on to the end customer – only the carriers benefited. This is disputed.

Action: A letter from the group to Minister (Brown) outlining concerns and asking for a moratorium until a full economic impact assessment has been carried out.

Cross-compliance penalties; There have been many complaints and pleas for help to both SCF and NFUS regarding what are seen as grossly unfair penalties levied against crofters and farmers for accidental breaches of the cross-compliance and support claiming rules. It was suggested that information is fed into the Pack committee looking at agricultural red tape. SCF will also bring this back to the CPG when they have more information.

7. DONM

21 March, evening