

CROSS-PARTY GROUP on CROFTING
Meeting 31 of Parliamentary Session 4
Scottish Parliament, room Q.1.03
Wednesday 28 October 2015 at 17.30

MINUTES

Present:

Jamie McGrigor MSP ⁱ (Chair)	Douglas Pattullo office of Jamie McGrigor MSP
Maria Scholten SCF (Sec)	Max Findlay Observer
Jean Urquhart MSP	Siobhan Macdonald SCA/SRUC
Patrick Krause SCF through Odrovision link	Angus MacDonald MSP
Fiona Mandeville SCF through Odrovision link	Morag Menzies CC
Emma Cooper SRA	Fiona Mackenzie UHI
John Brownlee SG	Pam Rodway SAS
Gordon Jackson SG	Donald MacKinnon SCFYC
Catriona Maclean CC	Lucy Carmichael SG
Colin Kennedy CC	Chris Bathgate SRN
Dave Thompson MSP	Lynsey Muir Lantra
Lucy Sumsion NFUS	Donald Inch SLE
Sandy Murray NFUS	Ross McLaren SCRG
Brian Inkster CLG	Fergus Walker CGF
Trudi Sharp SG	C A Beardsley Parliamentary Assistant
Aileen McLeod MSP Minister for environment and crofting	

1. Welcome and Apologies

The chair welcomed everyone, particularly welcoming the minister and thanked her for coming. He also thanked Bill Scouller (Odrovision) for setting up the livestreaming system in his own time. Apologies were received from Ian Davidson SG; Jeanette Sutherland SAC; Robin Haig, Maddy Norval, Rob Humphrey and Viv Montgomery SCFYC.

2. Minister for Environment Dr Aileen McLeod

Ministers opening remarks:

Dr McLeod said she was delighted to be able to attend the CPGoC and apologised for not being able to attend Crofting Conference on 4th December, noting that she would be in Paris discussing climate change. Message / speech – filming planned.

The Minister said that she would be in Inverness on 9th November to visit the bull stud. Two young crofters were also expected to attend – one of them, Donald MacKinnon, was attending the CPGoC. The same day (9th) the Minister would have a meeting with the Crofting Commission.

The Minister indicated that she had undertaken 2 crofting visits over the summer - to Orkney and to Shetland - to hear directly from crofters there which she had found informative and useful.

In relation to the review of the Croft House Grant Scheme, Dr McLeod thanked stakeholders for their submissions which had been extremely helpful. An announcement on progress with grants was expected to be made shortly. In relation to the loans to help to build or improve croft house, Dr McLeod noted that a number of stakeholders had indicated that they would welcome the reintroduction of a loan element in addition to grants. The Minister noted that she was considering all consultation responses at the moment.

Turning to the Crofting Sump Report, Dr McLeod indicated that she appreciated the considerable efforts of stakeholders on potential changes in this area, noting that the sump report had identified an extensive range of issues. As set out in her letter to stakeholders, the Minister explained that more work was required to develop a work programme in relation to crofting law so that a Bill could take be taken forward in the next Parliamentary session. She also highlighted that the next meeting of the Scottish Government Crofting Legislation Stakeholder Group was due to take place on 16 December 2015, the same day as the next CPGoC.

Finally, Dr McLeod recognised that work that stakeholders were undertaking to develop a vision for crofting. She understood that 10 Areas of action had been identified, and were expected to be prioritised at the next meeting of the Crofting Stakeholder Forum. Dr McLeod indicated that it was helpful for stakeholders to take this approach and consider issues important to crofting as a whole. She indicated that she looked forward to receiving an update from her officials after the Forum's next meeting on 30 October 2015.

Questions to the minister

Question: many crofters are worried about the date of CAP payments. Will the payments planned for December be on time? Secondly, when will the ewe hogg payments be made because it is in two parts now. Crofters will be out of pocket for a long time.

Answer: Hope is that payments will start at the start of the payment window in December; further announcements will be made as new information becomes available but is very much a live issue. SG is looking other solutions as well and tomorrow (29/10) will be a meeting with banks and NFUS to see if interim finance payments can be made available if needed. SG is keeping RACCE committee up to date and very happy to also keep CPGoC up to date.

On the ewe hogg premium payment (Scottish Upland Sheep Scheme) dates SG will provide a written answer to the CPGoC. Claims are being processed at the moment.

SG's record of issuing payments at start of window was good and that in itself speaks for itself – that the SG is doing all it can.

Minister – Noted comments would be fed back to RPID.

Question: can SG give an assurance to crofters that common grazings payments will be paid at the same time as the basic payments?

Answer: there will be no difference between them; common grazing payments are part of basic payments.

Question: observation from a land agent that 25% of client crofters had not received a letter about their land classification, so how could they claim? SG will take up this point with RPID.

Brian informed the meeting that the Crofting Law Group Conference was expected to take place in late February/early March and invited the Minister to speak at the event. He indicated that there could be some flexibility on the date.

The minister asked for the invitation to be sent to her office and she would try to attend, subject to existing diary commitments.

Jean Urquhart MSP added that there had not been a crofting conference for 5 years but this was being addressed with one planned for 4th December.

It was raised that there are hopes that there will be action on the recommendations of the stakeholder group regarding the Sump.

This was noted by the minister who added that the Stakeholder Forum meeting was due to take place on Friday and she looked forward to seeing the priorities and actions identified by stakeholders as a result of that.

Pam (Crofting Connections) – Noted the project was reaching the end of its 2nd phase and that they were hoping to continue but that this would be contingent on receiving additional funding. She requested attention to the summary evaluation report and asked for support for continuation of the project. The minister confirmed that she has the report and will look into it. Chair noted Crofting Connections had been a great success. **Agreed.**

Question: in order to take crofting forward and make more information about crofting available, could IACS return forms in the future have a tick box for crofting yes/no and thus make integration of IACS forms with crofting census forms possible?

Answer: Noted, this sounds sensible; it will be fed back to RPID.

Question: land registration of a croft does not necessarily make the registration correct? After registration it is still open to question?

This was followed by clarification what kind of registration is meant and a discussion about the two types of croft registers: the Land Register of Scotland and the Crofting Register. It was explained that crofting registration has an appeal period of nine months after registration. It was also explained that land registration does no longer come with Keeper's indemnity. Now Keeper's warranty and the onus is now on solicitors to ensure land is registered correctly. It was also noted that there is no compulsory obligation to register land on the land register unless transferring land.

These were all the questions to the minister and the chair thanked the minister. Dr McLeod left the meeting

3. Minutes of the previous meeting 09 September 2015

Minutes of the last meeting . on 9 September 2015 :

John (SG) indicated that he would send the secretary a note to clarify the CAP item on the minutes of the last meeting.
(Sec: done and amended).

Question to SG: were calculations of the shares done from regions 2 or 3 on the common grazings? From the total shares or the individual shares on the claim?

SG: will check up on this.

4. Matters Arising

CC: From page 2 in the minutes : The summary of the intention of the amendments to the Plan given by the convenor was not circulated as the amended plan has not been finished and approved, though the chair and the secretary received it for information only. A summary will be circulated as soon as the CC plan has been approved.

5. Rural Communications and the Scottish Rural Parliament

Emma Cooper, National Coordinator, updated the group on the work of the Scottish Rural Parliament, with particular reference to broadband and mobile phone issues in remote rural areas.

Broadband and mobile phone signal were a priority issue at the rural parliament in 2014, with participants citing the impact of digital connectivity on a very wide range of issues including enterprise, the out migration of young people, health care and isolation.

There are two approaches to communities getting superfast broadband. The first is the mainstream roll out of superfast broadband, funded by Scottish Government to reach rural and remote areas. This is progressing well, but never as quickly as we would like. The alternative is for communities to find their own solution and Community Broadband Scotland can help with this. They are managed by HIE and again funded largely by SG.

SRA met with BT, HIE, Digital Scotland and SG earlier this year to discuss options. We raised a variety of concerns, but the main ask from the SRP in 2014 had been to find out ASAP which communities would not get the mainstream BT roll out of superfast. Until communities know that they are not going to get connected in this way, they cannot get their own schemes funded. In many cases, no decision was expected from BT until after the end of next year about whether they would be connected or not. BT agreed to bring this forward and carry out a mapping exercise to let communities know early next year. A small but significant success. (The work SRA did here has since been commended by the First Minister at the Rural Summit.)

Digital Scotland and HIE also agreed to review online information sources, as there was some circularity of information which adds to people's frustration.

SRA are also in the process of submitting a freedom of information request to the UK Government over the mobile infrastructure project which is massively behind schedule. This will allow us to challenge them over mobile phone coverage. We will keep you updated. SRA are working with partners across the UK on this issue.

(Sec: Emma sent a note after the meeting: Since the CPGoC meeting, the UK Government has announced it will be giving consideration to a Universal Service Obligation for broadband, guaranteeing every household a minimum speed, which is one of the asks in the SRP Action Plan; we will let you know how this progresses.)

Question: 5G will be coming up soon. SRP should lobby SG that when setting up next contract to sell off the next G level to a contractor, SG should insist on including the Highlands and Islands so that a bigger roll out is guaranteed, not based on total population % but on specific area coverage. **Agreed.**

Question: where is the information about which provider covers which area?

Answer: Ofcom has data.

Question: When is next SRP?

Answer: in 2016; location to be announced very soon; there will also be smaller events spread out throughout Scotland, hosted locally and regionally. There will be a European RP next week in Austria.

Action: CPG to write a letter to SG to support the proposal that contracts awarded to mobile providers should be area-based, not population-based.

6. Crofting Development (*Standing item*)

1. Updates:

CC: The consultation on the CC Plan is concluded. The Plan was approved and is to go to Minister for ratifying. CC to discuss planning next week. Beginning of November will see the start of staff administration of 'easy cases'. There is good progress on follow-up of last year's census, and this year's is about to start with it being planned to have forms out before the end of the year.

Question: CC online forms are now only in pdf. It would be easier in .doc format, to make it more compatible with the (legal) case management system. Noted.

Question: will the Register of Crofts be put on-line?

CC: yes the intention is to do so eventually.

Crofting Connections project: Pam Rodway gave an update of the project status. The summary evaluation will soon be available on-line; some extra SG funding has been made available to keep the project going until mid-January 2016. She requests support for further development of the project.

2. SG Crofting Stakeholder Forum

SG: Gordon Jackson indicated that the next *SGCSHF* meeting is due to take place on Friday and that he could circulate a summary note afterwards, if that would be helpful.

3. Progress on Croft House Grant Scheme

It was noted that the Minister had addressed this.

7. CAP and Crofting (*Standing item*)

Question: is there any movement on unofficial sublets of common grazing shares, with reference to last meetings that grazing clerk should get confirmation?

CC: deadline for letters was 16 October. All sublets needs to pass through CC, otherwise not valid – BI: or existing in law. Sublets for subsidy claims and CC regulation do not sit comfortably together.

It was emphasised that the procedure is not clear.

SG: Noted. SG will clarify next meeting how RPID planning and CC crofting regulation function on this.

Weather aid update: Gordon Jackson highlighted that a series of meetings had taken place involving a number of different stakeholders including: SCF, NFUS, SG, RSABI and others. This was another good example of stakeholders working collaboratively. The focus of the last few meetings had been on Orkney which had suffered particularly severely. It was noted that NFUS

had approached Northlink Ferries to extend the time period of the reduced mid-week tariff and that Transport Scotland had approved further this contract variation for a further 3 months. It was noted that the SG had provided a £50k to RSABI to assist with hardship, including the impact of the weather. Progress continued to be made by the group and another positive announcement was expected shortly.

RSABi have been very helpful but there is an issue with perception 'help to very poor farmers'. Anything CPGoC could do to support work and encourage those in need of support to come forward would be helpful.

8. Crofting law (*Standing item*)

Deferred; since on 16 December the SGCLSG will meet, there will be an update at next CPGoC.

9. AOB

1. Patrick Krause gave an update on the Crofting Conference of 4th December. This will go ahead. The main speakers, including Prof Mark Shucksmith, are confirmed and HIE funding is promised (though pending due to internal changes in HIE).
2. Chris Bathgate (SRN) announced new Rural Network website with case studies on SRDP.
3. Question to SG: will there be flexibility in the hogg scheme as regards inspections, given the problem of widely dispersed animals and the difficulty of gathering areas such as moorlands and remote islands.

SG: will look into this.

4. Donald MacKinnon gave an update on behalf of SCFYC on their activities and member growth. Campaign still has main focus on access to land, homes and support. SG is asked to consider creation of new crofts on public land; more funding for CC to tackle absenteeism and neglect; reinstatement of a loan element in CHGS; and more investment in rural jobs.

5. An evaluation of the livestreaming: the two participants coming in only heard bits. Audio needs improvement and more microphones will be installed at the next CPG. The link will be sent out to interested persons. It seems promising and will be a great benefit to the group.

10. DONM

16 December

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Acronyms: AC Animate Consulting; AF Assynt Foundation; ASC Assist Social Capital; CAB Citizens Advice Bureau; CC Crofting Commission; CAGS Crofting Agricultural Grant Scheme; CCx Crofting Connections; CFS Care Farming Scotland; CGF Common Goof Food; CHGS Croft House Grant Scheme; CLG Crofting Law Group; CnES Comhairle nan Eilean Siar; CRSF Crofting Register Stakeholder Forum; DEFRA UK Gov Dept for Environment, Food and Rural Affairs; EC European Commission; EFNCP European Forum for Nature Conservation & Pastoralism; FCS Forestry Commission Scotland; HC Highland Council; HIE Highlands & Islands Enterprise; HSCHT Highland Small Communities Housing Trust; HWU Herriot-Watt University; JHI James Hutton Institute; JMT John Muir Trust; LANTRA Land-based & Environmental Industries Training; MSP Member of the Scottish Parliament; NFUS National Farmers Union Scotland; NS Nourish Scotland; NTS National Trust for Scotland; RACCE Scottish Parliamentary Committee on Rural Affairs Climate Change and Environment; RoS Register of Scotland; RSPBS Royal Society for the Protection of Birds Scotland; 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; 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; RSPB Royal Society for the Protection of Birds; UHI University of Highlands and Islands; WCP Woodland Crofts Partnership; WTS Woodland Trust Scotland.