



Committee of Inquiry on Crofting

Note of First Meeting: 08 & 09 May 2007, Inverness

Members Present

Mark Shucksmith (Chair)
Jane Brown
Fred Edwards
James Hunter
Susan Lamont
Norman MacDonald
Donald MacRae
Becky Shaw

Apologies

Agnes Rennie

In attendance

Fiona Spencer, Secretary
Rory Dutton, Business Manager
Keith Graham, Legal Adviser

1. Welcome & Introduction

- 1.1. Following a welcome from Mark Shucksmith, the members and those in attendance briefly introduced themselves. It was noted with regret that a pre-arranged diary commitment had prevented Agnes Rennie from participating, but that she had sent comments on the papers.
- 1.2. A number of administrative matters relating to the Committee's operation were then covered:
 - a) A number of members had experienced difficulties accessing the SharePoint extranet facility. It was agreed that the secretariat will email out the instructions and passwords again. Members should contact Fee Brown should they continue to experience problems.
 - b) It was noted that some Members had problems opening Paper 1.
 - c) All members agreed to complete and return the Register of Interests form, and to give advance notice if they anticipate a potential conflict of interest arising during their work for the Committee. A further copy of the form will be emailed to Members individually, and a copy will be made available on the SharePoint extranet.
- 1.3. The following points relating to the conduct of Committee meetings were also agreed:
 - a) Notes of Committee meetings will summarise key issues and decisions, and a draft will be circulated to Committee Members for comment prior to being finalised;
 - b) Papers for the meetings should be succinct and be distributed to Members in paper form a week prior to each meeting;
 - c) There will be a presumption that finalised papers will be public once the Committee has considered them unless the Committee decides that particular papers should be withheld. Public papers will be published on the Inquiry website. In relation to this meeting, it was agreed that papers 1/3, 1/4 and 1/7 will not be published as they deal with internal business arrangements for the Committee. Papers 1/1, 1/5, 1/6 and 1/8 will be published as they stand, and papers 1/2 and 1/9 will be published once they have been revised to take account of the Committee's discussion.
 - d) Forms and guidance for claiming travel expenses would be emailed to members and made available on the SharePoint extranet.

2. The Changing Context for Crofting (Paper 1/1)

(Paper available on Website)

2.1. Mark Shucksmith spoke to his paper, setting out and discussing the global context for crofting. The wide ranging discussion that followed explored the possible impact of the issues raised on a range of aspects of crofting, including regional/local variations.

3. Proposed Dates of Future Meetings (Paper 1 /2)

(Paper not available on Website, but finalised schedule of meetings is posted on Website)

3.1. The dates of the draft schedule were agreed subject to:

- a) The secretariat investigating with Members the possibility for re-scheduling the late June meeting to 19/20 so that it might be adjacent to dates for the Highland Show.
- b) The secretariat investigating with Members the potential for holding a retreat on 01/02 October as a possible alternative to 27/28 September.

3.2. It was agreed that the venues for the meetings, and their links to consultative/public engagement activities, should be finalised once the schedule of visits suggested at Paper 1/9 was firmer. It was also agreed that an Edinburgh meeting should be held to tie in with the Royal Highland Show, and that there would be benefit in leaving some venues to be decided at a later stage.

3.3. The proposed scheduling of the Committee's business was agreed in principle. The Committee agreed that initially it will consider the following issues:

- a) Young People
- b) Regulation & Asset Transfers (including how these relate to community landlords)
- c) Affordable Housing
- d) Land Use (beyond agriculture)

3.4. It was agreed that demographic issues (including migration) are key, relevant to all themes and should not be considered in isolation. It was agreed that the secretariat will circulate Members with a paper copy of the summary of the Outer Hebrides Migration Study, and the full version will be made available if possible on the SharePoint extranet. Members were asked to contact the secretariat if they have any further ideas for themes on which the Committee should work.

3.5. There was a consensus that brief discussion papers should be prepared to facilitate the Committee's discussion of themed topics. Where appropriate these would be commissioned from specialists. Aims and objectives of any analytical work required by the Committee will be circulated to members for comment prior to any specification being issued. Unless there are special reasons for non-competitive action which are justifiable in terms of procurement rules, work will be commissioned following a competitive tendering exercise.

3.6. It was suggested that there is potential to arrange meetings so that each issue can be discussed in depth. A further option is to arrange meetings so that invited proponents of contrasting viewpoints can briefly present their perspectives in order to inform the Committee's discussion of an issue.

3.7. The secretariat will revise and re-issue the schedule of meetings in parallel with the development of a draft schedule of visits.

4. Communications Strategy & Communications Plan (Papers 1/ 3 & 1/ 4)

(Papers not available on Website)

4.1. Fiona Spencer spoke to the draft Communications Strategy and Plan, which were considered together. A handout was also circulated illustrating the new Inquiry website. The Committee expressed its satisfaction with the content of these papers, and discussed a number of additional elements:

- a) It was agreed that a proactive approach should be adopted with key informed and competent journalists in the national and local press, and other media.
- b) Members agreed to tell the secretariat about local opportunities for communicating the work of the Inquiry.;
- c) It was noted that Norman MacDonald and Agnes Rennie could speak for the Inquiry, in consultation with the Chair, for contact with the Gaelic media.
- d) The secretariat were asked to pursue the option of placing articles based on the key messages at Annex 1 of Paper 1/3 in the journals of the Scottish Crofting Foundation and the NFUS. It was noted that the deadline for The Crofter was the w/c 14 May, but an issue of the Farming Leader had just been published.
- e) It was agreed that the secretariat should explore the possibility of a personally-addressed letter from the Chair being sent to crofters, to grazings clerks, assessors and crofting members of the Scottish Crofting Foundation and NFU Scotland, through the offices of the Crofters Commission, Scottish Crofting Foundation (SCF) and National Farmers Union Scotland (NFUS) respectively.

Futures Discussion

Over dinner, the Committee heard from Malcolm Hutchinson about his work on developing futures scenarios in relation to rural Scotland. The Committee were interested in pursuing further the idea of a futures exercise in developing a vision for the future of crofting.

5. Invitation to Submit Evidence (Papers 1/ 5 & 1/ 6)

(Papers available on Website)

5.1. In discussing the draft community invitation to submit evidence, the Committee had the following comment:

- a) The language should be plain English;
- b) The primary aim of the document is to engage with communities and encourage people to submit their views in order to inform the Committee's priorities. Focused exercises such as a survey and technical consultations may follow later.
- c) The introduction should emphasise that the Committee is seeking wide-ranging views and invite comment on any issue that respondents believe is important for the future of crofting.
- d) The introduction should also highlight that the Committee has identified its initial priorities and invite views on this preliminary position.
- e) The questions should be specific and focus on what the Committee regards as core issues to enable the responses to assist the Committee to progress its thinking. These will include: i) the regulation of land holding/ transfer and ii) the regulation of land use, in addition to those already identified explicitly in the paper such as housing, young people, etc.

5.2. The paper will be revised and circulated to the Committee for comment before it is finalised for use on the website and on visits. Committee members were asked to provide written comments on the wording to the secretariat by 18 May.

6. Towards a Stakeholder Plan (Paper 1/ 7)

(Paper not available on Website)

6.1. Fiona Spencer spoke to the paper on the developing Stakeholder Plan. The following issues were raised in the subsequent discussion:

- a) There was interest in considering the potential of using reconvening groups to test early recommendations since there might be benefit from building on initial early engagement with an appropriately selected group that had already discussed the issues;
- b) In addition there was interest in written consultation; survey and open public meetings. It is essential that any survey distinguishes factors such as locality, types of crofting (e.g. owner-occupied, tenanted; deemed) in the analysis of results;
- c) Community Councils and Grazings Clerks should be written to in advance of any open meetings, requesting Clerks to notify all their shareholders;
- d) It would encourage stakeholder participation if letters of invitation were specific and focussed;
- e) Posters should be prepared for agricultural shows, other events, libraries and to prepare the ground in advance of a visit;
- f) Advertising in local papers and radio should be augmented by a news release;
- g) Consideration should be given to incorporating an evening surgery or open meeting when a Committee meeting is held within a crofting area.
- h) The secretariat has a list of agricultural shows. Committee members agreed to inform the secretariat of other events;
- i) The SCF's conference, with its theme on regulation, should provide a good opportunity for stakeholder engagement and Mark Shucksmith has agreed to speak at the conference.
- j) Special consideration needs to be given to engaging with young people;

7. Initial Evidence Paper (Paper 1/ 8)

(Paper available on Website)

7.1. In introducing the paper prepared by the Scottish Executive's Environment and Rural Affairs Department (SE), the Chair highlighted that he had asked the secretariat to commission two specialists to write short think pieces based on research evidence. The papers are on a) defining sustainable rural communities in crofting areas, and b) claims made about the contribution of crofting. The Chair confirmed that the Inquiry already had the report on the comparative research between Rogart and Cabrach referred to in the SE paper, and the secretariat undertook to ensure that hard copies were mailed to all Committee members. It was noted that the Chair has recently met with Derek Logie, the consultant undertaking research on crofting and housing for the SCF.

7.2. The Committee noted that the data types available related to agriculture and grant-schemes, and that other kinds of information on crofting were extremely scant. The Committee noted the uncertain or limited relevance to the Inquiry of some of the data within the SE paper; for example, the issue of the smallest crofts (insignificant holdings), and the small farm survey. The limits of the income data referred to in the paper were noted. It was further noted that the results of the agricultural census, which includes a croft identifier, would not be available until October or November, unless this work can be expedited by ERAD. The Committee were keen to see these results as soon as possible.

7.3. In discussing gaps in evidence that the Committee might need to have addressed, there was interest in information on:

- a) The implementation of crofting regulation by the Crofters Commission - to identify for the Committee the elements of the legislation that have been implemented, and those elements that have not. This would not be an evaluation of the Crofters Commission as an organisation, but rather would examine its effectiveness in implementing its

regulatory role. It would look at the tension between the developmental and regulatory roles of the Crofters Commission;

- b) The number of tenancies, owner occupiers, assignments;
- c) The potential for new crofts - a paper should be commissioned on the impact of current controls on the market for crofts. This would include exploration of the fit between planning guidelines/practices and crofting regulation and policy; and take into account the nature of landholding and landowners' motivations and concerns;
- d) The impact of criteria, including farm-oriented criteria, within Scottish Executive administered support schemes on the eligibility and ranking of applications from crofters and common grazings committees;
- e) Croft and/or tenancy sales - difficulty in obtaining financial information on this topic was noted.
- f) The role of crofting in the regeneration of specific areas – such as the Initiative at the Edge areas - a review of evidence would be useful;
- g) The Crofters Commission list of those seeking a croft - more detailed information is needed;
- h) The reasons for crofters purchasing their crofts;
- i) The merits of seeking evaluation of the Crofting Counties Agricultural Grants Scheme (CCAGS) were discussed;
- j) A clear guide to issues associated with the transfer, ownership and purchase of crofts would be useful to clarify issues, and should be put it on website. It was noted that the Crofters Commission already have such guidance, and the secretariat should consider whether that guide would be suitable for the Committee's purposes or whether anything additional is required.

7.4. It was agreed that the Chair would reflect on the issues raised and suggestions made, and would come back to the Committee with proposals for analytical work in the context of the available resources.

8. Draft Programme of Visits (Paper 1/ 9)

(Paper not available on Website, but finalised schedule of visits is posted on Website)

8.1. The draft programme of visits for June and July was discussed. It was suggested that 21 visits was very ambitious, and visits to some locations might be able to be combined either within a single day, or merged to a single visit. It was noted that there may be potential to use video-links to reach more communities than would be possible to visit.

8.2. The Chair explained that the more Committee members are available to participate in visits, the more communities can be visited: his own participation in every visit is not essential although he will try to participate in as many as possible. Some members indicated that they had limited availability which would prevent their participation unless visits were combined with Committee meetings. Others had greater availability and would be able to assist with local meetings.

8.3. It was agreed that the secretariat would develop a programme of visits taking into account Committee meetings, local events, and the availability of the Chair and a local Committee member. The secretariat would also investigate the potential to provide funding to help those from more remote (especially island) locations to participate.

9. AOCB and Close of Meeting

9.1 The Chair confirmed that the next meeting would be held in Stornoway on June 4/5th, in conjunction with visits to communities in the Western Isles. In closing the meeting he thanked all present for a constructive and stimulating beginning to the work of the Committee of Inquiry.