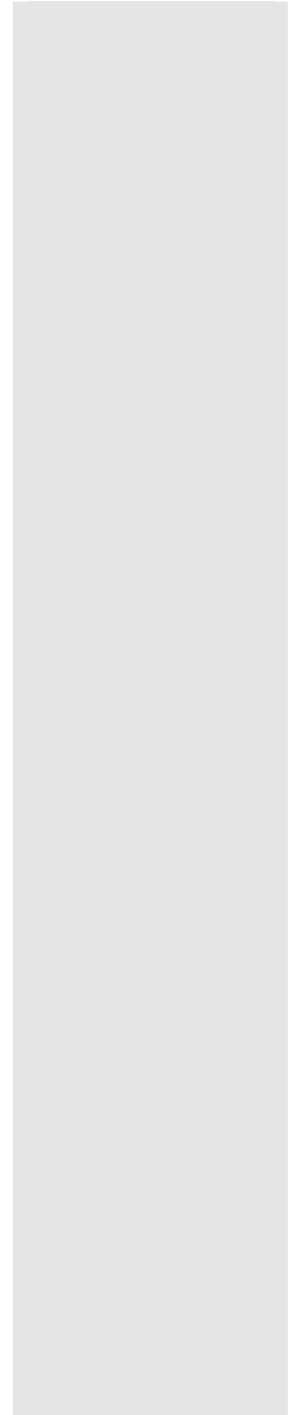


Please note that the views expressed in this report do not necessarily represent those of the Committee of Inquiry on Crofting.

**CROFTING INQUIRY:
ANALYSIS OF WRITTEN
RESPONSES TO THE CALL
FOR EVIDENCE**



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THE CALL FOR EVIDENCE**

Linda Nicholson
The Research Shop

Crofting Inquiry
2007

ACKNOWLEDGEMENTS

Thanks are expressed to all of the respondents who took the time and care to respond to the call for evidence. Every submission has been examined thoroughly and every effort made to represent accurately the wide range of views and opinions expressed. Copies of full, non-confidential responses can be accessed on the Crofting Inquiry website. Thanks also go to the Crofting Inquiry administration team for their help with the management of the call for evidence.

Linda Nicholson
September 2007

CONTENTS	PAGE NO.
EXECUTIVE SUMMARY	1
CHAPTER 1: BACKGROUND TO THE CONSULTATION	7
CHAPTER 2: THE CONSULTATION PROCESS	10
CHAPTER 3: RESPONDENTS' VIEWS ON THE CONSULTATION PROCESS	16
CHAPTER 4: VIEWS ON THE ROLE OF CROFTING IN POPULATION RETENTION AND GROWTH	18
4.1 How can crofting contribute to population retention or growth in remote areas?	18
4.2 What do you think would help attract new entrants and/or retain people?	20
4.3 Would it matter if new people came from outside crofting communities?	22
4.4 Please tell us how what you say applies in your area	25
Summary of Key Points	25
CHAPTER 5: VIEWS ON THE IMPACT OF CROFTING ON LANDSCAPE AND NATURE	26
5.1 What impact do crofting activities have on the landscape and on nature?	26
5.2 Please tell us about these activities and the effect they have on your area	29
Summary of Key Points	30
CHAPTER 6: VIEWS ON WHETHER CROFTING SUPPORTS DIVERSE COMMUNITIES INCLUDING THE GAELIC LANGUAGE	31
Summary of Key Points	33
CHAPTER 7: VIEWS ON THE ECONOMIC IMPORTANCE OF CROFTING AGRICULTURE AND CHANGES IN AGRICULTURAL SUBSIDIES	34
7.1 How important is crofting agriculture to you economically?	34
7.2 How important do you think it will be in the future as agricultural subsidies (including single farm payments, less favoured area support scheme, agri- environment payments, land management contracts and crofting counties agricultural grants scheme payments) change?	36
7.3 Are there other changes ahead which you think will affect crofting agriculture?	38

CONTENTS	PAGE NO.
Summary of Key Points	40
CHAPTER 8: VIEWS ON CROFTERS GENERATING INCOME FROM SOURCES OTHER THAN AGRICULTURE	41
Summary of Key Points	43
CHAPTER 9: VIEWS ON REGULATION RELATING TO NEGLECT OF CROFTS AND ABSENTEEISM	44
9.1 Should there be stronger regulation of land use to prevent neglect of crofts or absenteeism?	44
9.2 How do you think appropriate use of croft land should be secured?	45
Summary of Key Points	47
CHAPTER 10: VIEWS ON AMALGAMATION, MULTIPLE CROFTHOLDINGS AND/OR THE SUBDIVISION OF CROFTS	48
10.1 Views on amalgamation of crofts	48
10.2 Views on multiple croftholdings	50
10.3 Views on the subdivision of crofts	51
10.4 Should there be any limits on amalgamation, multiple croftholdings and/or the subdivision of crofts?	53
Summary of Key Points	54
CHAPTER 11: VIEWS ON ISSUES OF HOUSING AND HOUSING GRANTS IN CROFTING COUNTIES	55
11.1 How serious are problems of access to affordable housing in the crofting counties? What are the impacts on the demand for crofts and croft land?	55
11.2 How helpful are croft house grants, rural home ownership grants, housing association lettings, etc.?	56
11.3 What do you think should be done?	57
11.4 Please also tell us how what you say applies to your local area	59
Summary of Key Points	60

CONTENTS	PAGE NO.
CHAPTER 12: VIEWS ON CROFT SALES	61
12.1 Should crofters be allowed to sell their crofts, or croft land, to the highest bidder?	61
12.2 Do you think croft assignments and sales should be regulated and, if so, how?	63
12.3 Please tell us how what you say applies to your local area	65
Summary of Key Points	66
CHAPTER 13: VIEWS ON LAND REFORM AND COMMUNITY OWNERSHIP IN PARTICULAR	67
13.1 How do you think land reform, and the Community Ownership of crofting estates in particular, will affect crofting in the future?	67
13.2 Does Community Ownership alter the need for regulation of crofting in any ways?	69
13.3 Do crofters need protection from community landlords, as they did from private landlords?	69
13.4 Should crofting tenants of community landlords retain the right to buy?	71
13.5 Please also tell us how what you say applies to your local area	72
Summary of Key Points	72
CHAPTER 14: VIEWS ON THE FUTURE OF CROFTING	74
14.1 Views on the nature of crofting in the future	74
14.2 Views on what respondents hope crofting will be like in the future	75
Summary of Key Points	76
CHAPTER 15: VIEWS ON THE CHANGES NEEDED TO CROFTING	77
15.1 Views on changes needed to the Crofters Commission	77
15.2 Views on changes needed to the grants regime	79
15.3 Other recommendations for change	80
Summary of Key Points	82

CONTENTS **PAGE NO.**

CHAPTER 16: VIEWS ON WHAT FEATURES OF CROFTING MATTER MOST **84**

Summary of Key Points **85**

CHAPTER 17: OTHER POINTS OF RELEVANCE TO THE COMMITTEE'S TERMS OF REFERENCE **86**

17.1 Views on the terms of reference **86**

17.2 Views on the Committee's next steps **86**

17.3 Other views **87**

Summary of Key Points **88**

FIGURES

1:	Crofting status of individual respondents	11
2:	Views on the impact which crofting has on the landscape and nature	26
3:	Summary of views on amalgamation	49
4:	Summary of views on multiple croftings	50
5:	Summary of views on subdivision of crofts	52
6:	Views on whether crofters should be allowed to sell crofts	61
7:	Views on whether assignments and sales should be regulated	63
8:	Views on the impact of Community Ownership	68

TABLES

1:	Respondents by category	12
2:	Geographical spread of individual respondents	13
3:	Benefits of incomers identified by respondents	22
4:	Views on conditions of welcome of incomers	23
5:	Views on whether crofting supports diverse cultures including the Gaelic language	31

ANNEX

1:	List of Respondents to the Consultation	90
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EXECUTIVE SUMMARY

The Committee of Inquiry on Crofting was established in 2007 with its main remit to develop a vision for the future of crofting in the 21st Century. As part of its deliberations, the Committee launched a public consultation involving a series of 17 visits to crofting communities and a written “call for evidence” in which respondents were invited to provide their views on crofting related topics posed in a consultation paper.

The written call for evidence took place between 21 June 2007 and 31 July 2007. Around 6,000 consultation packs were distributed to organisations and individuals with an interest in the future of crofting. At the time of analysis 282 responses had been received from a wide range of individuals and organisations. This report presents an analysis of the responses to the written call for evidence.

The consultation document grouped questions under 14 key topics which had arisen as important during debates on the 2006 Crofting Reform Bill. The issues covered included the role of crofting in population retention, its impact on the landscape, the role of crofting in supporting diverse cultures, the economic importance of crofting, crofting regulation, views on grants, croft sales and assignments, land reform and Community Ownership of crofting estates, and the future role and functioning of the Crofters Commission.

The response to the written consultation was modest compared with some Scottish Government written consultations. However, a significant volume of crofters and aspiring crofters were amongst the respondents along with a range of local and national organisations. Overall, 84% of responses were submitted by individuals with the remaining 16% submitted by organisations. Of the individuals, 78% were current crofters.

The responses to the written call for evidence will be used by the Crofting Inquiry Committee in conjunction with other evidence to develop a vision for the future of crofting which will be discussed with interested parties in the Autumn prior to reporting to the Scottish Government.

SUMMARY OF VIEWS EXPRESSED

The Role of Crofting in Population Retention and Growth (Chapter 4)

The majority (84%) of those who responded thought that aspects of crofting could help to encourage population retention or growth. The most frequently mentioned ways to help attract new entrants were to make efforts to provide crofts to meet demand; make housing more accessible and affordable; provide local employment opportunities; and retain effective grants and subsidies.

Only a minority of 14.8% of those who responded considered that new people should not originate from outside crofting communities. Their main concerns were that incomers

might price locals out of the housing market, and they may not understand the community ethos of crofting. The most frequently mentioned benefits of incomers to crofting communities were that they brought new ideas and were essential to ensure future populations in remote areas.

The Impact of Crofting on Landscape and on Nature (Chapter 5)

It was generally thought (by 78.9% of respondents) that crofting had the potential to have a positive impact on the landscape and on nature. Many respondents agreed that crofting served to encourage bio-diversity. Another common theme was that crofting provided a low-intensity form of farming which was particularly friendly to the landscape and kept weeds at bay. A minority of respondents (14.2%) argued that poor crofting practice could have a negative impact on the landscape. A common complaint was that absenteeism and neglect of crofts led to the detriment of the landscape and nature.

Views on Whether Crofting Supports Diverse Cultures Including the Gaelic Language (Chapter 6)

One-fifth (20.2%) of respondents stated clearly their view that crofting supports both diverse cultures and the Gaelic language. Many consultees commented that crofting facilitates gatherings and communal activities which provide the forum for underpinning culture and language. One-quarter (24.2%) of respondents considered that crofting does not support either diverse cultures or the Gaelic language. Several respondents thought that too much effort and resources were going into keeping Gaelic alive.

The Economic Importance of Crofting Agriculture and Changes in Agricultural Subsidies (Chapter 7)

Many crofters reported that crofting agriculture played only a minor role in the economy of their household. It was commonly understood that subsidies available to crofters for agriculture were reducing and that the removal of these would result in the demise of crofting.

Most of those who commented were critical of the single farm payments which were seen as promoting inactivity. Many consultees saw potential in the Less Favoured Area Support Scheme in terms of helping crofters. Land management contracts were viewed as ill-fitted for the needs of crofters. Crofting Counties Agricultural Grants Scheme payments were seen as simple and accessible and useful to crofters. The rural stewardship scheme was viewed as beneficial for the relatively few crofters who had managed to secure funding, but limited in overall budget leaving many unable to access it.

Respondents identified key factors which could affect crofting in the future as Government support (or lack of it), climate change, rising fuel costs and a rise in demand for organic produce.

Views on Crofters Generating Income from Sources other than Agriculture (Chapter 8)

Almost all of the 257 consultees who responded on this topic emphasised the necessity of crofters generating income from sources other than agriculture. Many respondents considered that generating income from other sources had always been part of the crofting lifestyle. There were mixed views on whether crofters were adequately supported in generating income from other sources. A wide variety of examples of alternate employment opportunities for crofters was provided.

Regulation Relating to Neglect of Crofts and Absenteeism (Chapter 9)

Many respondents found the topic of regulation relating to neglect of crofts and absenteeism complex with no one obvious way to proceed. A common view was that local and individual circumstances needed to be taken into account when dealing with cases of neglect and absenteeism. It was recommended that handling of such cases be done sensitively and with compassion.

A recurring view was that there existed an adequate regulatory framework to deal with neglect and absenteeism but this needed to be enforced more rigorously by the Crofters Commission. A common suggestion was that absentee crofters should be encouraged to sub-let their croft for a set period of time.

Amalgamation, Multiple Croft Holdings and/or the Subdivision of Crofts (Chapter 10)

A recurring theme was that decisions on amalgamation, multiple croft holdings and subdivision of crofts should be made locally, according to local demands for crofts, and the local pattern of tenure.

There was almost an even balance between those supporting (48.4%) and those against (47.8%) amalgamation of crofts. The balance of views was slightly in favour of multiple croft holdings (51.3% of responses). It was thought that amalgamation and multiple croft holdings could both improve the viability of the land, but could also reduce opportunities for people to obtain crofts and contribute to overall population reduction. There was an even split (50%:50%) between those in favour of and those against the subdivision of crofts. Subdivision of crofts was seen as a way in which families could share out land, get younger generations involved in crofting, carry on their inheritance and pass on further crofting land rights within families. Some respondents cautioned that subdivision might lead the way to house building, or result in unviable, small plots of land.

Many consultees suggested limits on amalgamation, multiple croft holdings and subdivision of crofts, although it was felt by some that these should be tailored to fit local conditions.

Housing and Housing Grants in Crofting Counties (Chapter 11)

The overarching view was that problems of access to affordable housing in the crofting counties were serious. It was commonly thought that whilst crofting areas experienced the impact of lack of affordable housing acutely, access to affordable housing was a wider, national problem in both rural and urban areas.

Many respondents considered that current problems stemmed from incomers purchasing crofts at inflated prices, the right to buy policy, and previous council house stock sales.

The majority view was that grants were useful, but their value needed to be reviewed regularly in order for them to continue to provide necessary assistance.

Recommendations to tackle the problem of shortage of affordable housing fell largely into 3 categories: revise the value of housing grants and increase them in line with inflation; encourage the identification of suitable land for housing; and stem the practice of speculative sales of crofts to the highest bidder. Calls were made for the housing grant system to be simplified and better publicised.

Views on Croft Sales (Chapter 12)

Of those who provided a clear view, exactly the same proportion of respondents (48.9%) agreed with selling crofts or croft land to the highest bidder as were against this practice.

A common response was that crofters operated in a free market and selling to the highest bidder was part of this. A common concern was that selling to the highest bidder paved the way to the demise of crofting by taking working crofts out of crofting, and putting crofts out of the financial reach of young people.

An overwhelming majority (80.4%) of those who commented were in favour of regulation of assignments and sales.

Land Reform and Community Ownership (Chapter 13)

The majority (51.6%) view amongst those who commented was that Community Ownership was advantageous. Around one in 5 (21.3%) of those who provided a view did not consider Community Ownership to be the best way to proceed.

A range of benefits of Community Ownership was identified including: allows land to become available for crofting; creates opportunities for local investment and development of job creation; acts for the community rather than the individual.

A range of drawbacks of Community Ownership was identified including: uses a lot of public funding; can create divisions and strife in local communities; and can end up with non-crofters making decisions on crofting.

Almost all who commented stated that there was no need to change crofting regulation on account of Community Ownership. The vast majority (92%) of respondents who provided a clear view were in favour of crofters receiving protection from community landlords as they had from private landlords. The majority (74%) view was in favour of retention of the right to buy for tenants within the context of Community Ownership.

Views on the Future of Crofting (Chapter 14)

Recurring views were that in the future crofting would shift towards non-agricultural activities with greater diversification of activity. It was anticipated that local food production would become ever more important due to factors such as increasing fuel charges and concerns regarding carbon footprints. It was generally agreed that in the future there would be fewer cattle and sheep and a greater influence of the green agenda with more fuel crops and timber production.

Many respondents expressed their wish for crofting to be an economically viable activity over the next few decades, aided by suitably targeted grants. A recurring theme was for agriculture to remain one mainstay of crofting along with traditional crofting methods and culture.

Views on the Changes Needed to Crofting (Chapter 15)

Most of the views provided on changes needed to crofting focused on the Crofters Commission and the grants regimes.

The majority of those who commented on the Crofters Commission criticised this organisation and/or recommended changes. Typically it was considered that the Crofters Commission was out of touch with crofting and lacked credibility. A recurring theme was that the Crofters Commission should be more accountable, with a greater area representation. A common topic was that the Crofters Commission should be made to enforce the regulations available to it. There were calls for the Crofters Commission to become more aligned with other relevant partners and have closer communication with local people and Grazings Committees.

Common views were that the grants regime needed to be simplified with grants made easier to access.

Other changes suggested included: establishing a clear vision for crofting; providing more education/advice on crofting; reducing bureaucracy; supporting diversification; and tackling absenteeism.

Features of Crofting that Matter Most (Chapter 16)

Four features were mentioned more than others as aspects of crofting that mattered most to respondents. These were: the way of life which was suited to the land; the community ethos; custodianship of the land for future generations; and working with animals.

Other Points of Relevance to the Committee's Terms of Reference (Chapter 17)

Few comments were made about the Committee's terms of reference. One recurring view was that the Committee needed to rethink what crofting comprised. Many respondents wanted to see the momentum created by the Committee of Inquiry maintained and transformed into positive, high level support and action. Some saw the Inquiry as a final opportunity to make big changes to support crofting.

One recurring view was that there had appeared to be little previous political support for crofting and this was now needed. Some respondents urged that the benefits of crofting should be viewed in the wider context of ecological value, the green agenda and potential for tourism rather than purely in economical and market terms.

Fresh ideas for the future included: making more of the potential synergy between landowners and crofters; developing a robust strategic framework for crofting; establishing one overarching governing body; modernising Grazings Committees; helping people with learning difficulties participate in crofting; and learning from previous practice amongst crofting communities and in other countries.

CHAPTER 1: BACKGROUND TO THE CONSULTATION

THE CONSULTATION

The Committee of Inquiry on Crofting was established in 2007 with its main remit to develop a vision for the future of crofting in the 21st Century. Consultation with key stakeholders has been central to its deliberations. As part of its call for evidence, the Committee launched a public consultation involving a series of visits to crofting communities to enable people to meet with members of the Committee and express their views, and also a written consultation exercise in which respondents were invited to provide their views on questions posed in a consultation paper.

A total of 17 public meetings were held by the Committee in crofting counties between June and August 2007. Over 850 people attended these meetings to provide their views on key topics raised by the Inquiry and by crofters themselves. The written consultation was launched on 21 June 2007 with 6,000 consultation “packs” (available in both English and Gaelic) distributed through a wide range of outlets including:

- Common Grazings Clerks and assessors
- Scottish Crofting Foundation
- NFU Scotland
- Libraries
- Community Halls
- Post Offices
- Highland Games
- ERAD offices
- Community Councils
- Farming and Wildlife Advisory Group
- The Royal Highland Show
- The Inquiry meetings

The packs were also sent to MSPs, MPs, local authorities and other organisations and individuals with an interest in the future of crofting. The invitation to submit written responses was publicised at each of the public meetings and through press releases throughout the North and West of Scotland and on the islands. The chairman of the Inquiry gave a total of 16 press interviews to publicise the Inquiry and the consultation process. The written call for evidence consultation paper was also publicised and made available on the Crofting Inquiry website.

The written consultation paper grouped questions under 14 key topics which had arisen as important during debates on the 2006 Crofting Reform Bill.¹ The written consultation period ran from 21 June 2007 until 31 July 2007.

¹ The consultation paper can be viewed at <http://www.croftinginquiry.org/Documents>

A press release helped publicise the consultation paper and meetings. In announcing the consultation the Chairman of the Crofting Inquiry stated:

“This is an issue which affects people’s way of life in many rural communities in Scotland and it is vital that we get views from as many people as possible who have an interest in crofting, whether as crofters or from the local communities.”

The written consultation document covered a wide range of issues including the role of crofting in population retention, its impact on the landscape, the role of crofting in supporting diverse cultures, the economic importance of crofting, crofting regulation, views on grants, croft sales and assignments, land reform and Community Ownership of crofting estates, and the future role and functioning of the Crofters Commission. Views were invited on these topics and on the future of crofting over the next 10 to 20 years. The responses to the consultation along with other evidence will be used by the Crofting Inquiry Committee to develop a vision for the future of crofting which will be discussed with interested parties in the Autumn prior to reporting to the Scottish Government.

Overall, 282 written responses were submitted in time to be included in this analysis.² (Five further responses from individuals were received at a very late stage in the analysis and have not been included although they have been examined by members of the Inquiry team.)

CONTEXT

The Crofting Reform Etc. Bill was introduced on 2 March 2006 and received Royal Assent on 1 March 2007. During debate on the Bill it was realised that there was a need to develop a vision for the future of crofting in the 21st Century to guide any reforms. To this end, the then Minister for Environment and Rural Development announced the Scottish Government’s intention to create a Committee of Inquiry on Crofting. Professor Mark Shucksmith was confirmed as its Chairman in December 2006 with Committee members announced in April 2007.

The overall task of the Committee is to assess how crofting might best contribute in the future to sustainable rural development and what reforms might assist this. The Committee has been asked to recommend to the Scottish Government any necessary changes in laws, regulations, grants or administration surrounding crofting, including the role and functioning of the Crofters Commission.

More specifically, the Committee has been charged with considering:

- the economic contribution of crofter agriculture to the local economy, and the significance of current public support in that contribution;

² Annex 1 contains a list of the organisations that responded to the consultation.

- the extent to which occupiers of small farms and crofts generate income from sources other than primary agricultural production, and the availability of financial assistance to encourage that;
- the governance of crofting and crofting communities, including the opportunities arising from Community Ownership of crofting estates and other initiatives;
- the demand for, and availability of affordable housing generally in the crofting counties, and the role of croft house grants in contributing to local housing supply; and
- the market for crofts, in particular their availability for young people and new entrants.

To inform their deliberations on these key topics and others, the Committee has engaged in wide-ranging public consultation including 17 public meetings and a written call for evidence based around a formal consultation paper. Views were invited, however radical, from organisations and members of the public.

The responses to the written consultation have been made publicly available on the Crofting Inquiry website³ unless the respondent has specifically requested otherwise.

The remainder of the report presents the “story” of the consultation, - the consultation process, including respondents’ views on that process (Chapter 2), and the findings of the analysis (Chapters 3 - 17).

³ www.croftinginquiry.org

CHAPTER 2: THE CONSULTATION PROCESS

The written consultation became “live” on 21st June 2007 with a formal closing date of 31 July 2007. Some responses were received after this date, having been affected by a postal strike, with all but 2 of these arriving in time to be included in the analysis. The scale of the consultation was wide in terms of distribution to organisations and individuals with an interest in crofting, with a relatively modest volume of 282 responses, largely from crofters.

NATURE OF CONSULTATION

The written consultation document comprised 8 pages along with a Respondent Information Section. It provided a very brief background to the written consultation, explaining the purpose of the Committee of Inquiry on Crofting and describing the consultation process. A series of questions were grouped into 14 topics with views invited on:

- Role of crofting in population retention and growth
- Impact of crofting on landscape and nature
- Role of crofting in supporting diverse cultures including the Gaelic language
- Economic importance of crofting to individuals
- Crofter generation of income from sources other than crofting
- Regulation of land use to prevent neglect of crofts or absenteeism
- Amalgamation, multiple croftings and subdivision of crofts
- Problems of access to affordable housing
- Selling crofts to highest bidder
- Land reform and Community Ownership of crofting estates
- Crofting in 10 – 20 years time
- Regulation of crofting and the future function of the Crofters Commission
- Importance of crofting to the individual
- Other points of relevance to the Committee

Around 6,000 copies of the consultation “packs” were distributed to a wide range of organisations and individuals for wider dissemination with the pack also available for download from the Inquiry website. Many of those who subsequently responded to this written call for evidence had taken part in one of the 17 public meetings at which these topics and others were discussed.

NATURE OF RESPONSES

The structure of the written consultation document promoted a helpful consistency in the format of responses. Most respondents used the 14 question framework to structure their response either electronically or in hard copy. Other respondents selected certain topics to respond to although most provided some response to each of the key issue raised. Two

hundred and eighty responses were submitted in English. The remaining 2 responses were provided in Gaelic.

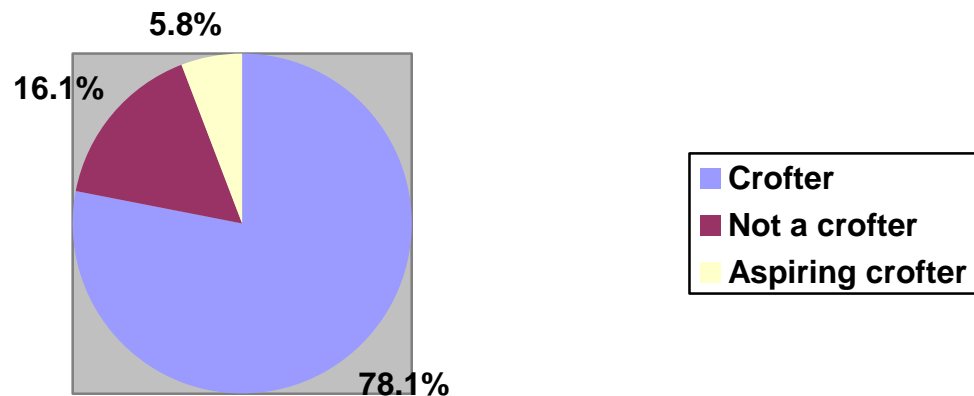
THE RESPONDENTS

The list of organisations that responded is documented at Annex 1. The vast majority of responses (83.7%) were submitted by individual respondents with submissions from organisations comprising only 16.3% of responses.

Individual Respondents

The responses submitted by the 236 individual respondents were informed by a wide range of experiences and perspectives in relation to crofting. The consultation document requested specifically that individual respondents should indicate if they were a current crofter, an aspiring crofter or not a crofter. Most of these respondents (224) stipulated their “crofting status” in their response. Figure 1 presents the findings:

Figure 1: Crofting Status of Individual Respondents



Of those 224 responses from individuals who specified their crofting status, just over three-quarters (78.1%) were crofters, with a further 5.8% aspiring to become crofters. Of the 36 individual respondents who indicated on the response form that they were not crofters nor aspiring crofters, it appeared from the main text of their response that some had previously been crofters, others were members of Grazing Committees, a few were landlords and a small number had held or were currently holding posts of relevance such as Crofter Commission assessors. As the response form did not specifically ask for such information on current or previous relevant posts it is not possible to quantify precisely the number of respondents in such positions, but clearly many different perspectives are represented amongst the 36 individual respondents who are not currently crofters.

Responses from Organisations

Forty six responses (16.3%) were received from organisations. Table 1 presents a breakdown of all respondents by category.

Table 1: Respondents by Category

Respondent Category	No.	% of total
Individuals	236	83.7
Common Grazings Committees	13	4.6
NGOs	13	4.6
Representative Bodies	6	2.1
Local Authorities	5	1.8
Estates	3	1.1
Public Bodies	3	1.1
Community Councils	2	0.7
DK	1	0.4
Total	282	100

NB Percentages may not total 100% exactly due to rounding

Of the organisations that responded, Common Grazings Committees and NGOs constituted the largest groups of respondents, each accounting for 4.6% of responses. Relatively few responses were received from the remaining categories of organisations.

It should be noted that the analysis of responses which follows does not attempt any weighting of responses to reflect, say, numbers of respondents from different sectors, or type of respondent. Any quantification of views in the report is for indicative purposes only and is based on the population of respondents as set out in Table 1.

Geographical Spread of Individual Respondents

Most individual respondents provided their address details on the respondent information form attached to their response. The geographical spread of these respondents was deduced from these details although it should be noted that some respondents may have provided their second home address, or may be absentee crofters who are not currently residing at this address. Against this background a broad breakdown of location of respondent is in Table 2 overleaf. Around half (47.9%) of the individual respondents gave Highland addresses, although a sizeable minority (15.7%) of respondents provided addresses in Argyll and Arran.

Where appropriate in the analysis that follows, commentary is made on the views of respondents from specific geographical locations. It should be noted from Table 2 that numbers of respondents from certain areas are relatively low, and the numbers of those holding specific views may be even lower. Any analysis of views by geography should, therefore, be treated with caution.

Table 2: Geographical Spread of Individual Respondents

Location	No.	% of total
Highlands (without Skye)	113	47.9
Argyll and Arran	37	15.7
Western Isles	27	11.4
Skye	26	11.0
Orkney and Shetland	20	8.5
Elsewhere in Scotland	7	3.0
No information on location	6	2.5
Total	236	100

NB Percentages may not total 100% exactly due to rounding

Naming Respondents

The convention adopted for this consultation has been to preserve anonymity of individual respondents and organisations, by attributing their comments and quotes to the grouped respondent category to which they fit. In this way, individual requests for anonymity are met, but a further depth is added to the analysis by providing some contextual information about the respondent type. The terms used to describe the different category of respondent are as follows:

Cr	(Crofters)
NCr	(Non Crofters)
ASP	(Aspiring Crofters)
DK	(Individual of unknown crofting status)
CG	(Common Grazings)
NGO	(Non-Governmental Organisation)
RB	(Representative Bodies)
LA	(Local Authority)
Est	(Estates)
PB	(Public Bodies)
CC	(Community Councils)
ORG - DK	(Organisation but nature unknown)

Gaps in Respondent Type

The call for evidence attracted responses largely from individual members of the crofting communities. In addition to current crofters, several retired crofters and some aspiring crofters also provided their views. Responses were submitted from landowners and the key interested organisations also engaged with the consultation. Although the consultation did not request that individual respondents stipulate their age, it could perhaps be deduced from the content of the individual responses that a gap in respondent type might be the voice of young people.

APPROACH TO ANALYSIS

Respondents tended to adhere to the format of the response form in documenting their submissions. This facilitated efficient processing of the text relevant to each topic. Two of the responses were submitted in Gaelic with the Inquiry team arranging for translations prior to processing by the researchers.

A comprehensive electronic framework for identifying and recording relevant comments from respondents was developed and a number of ground-rules established to ensure responses were prepared for analysis in a consistent and sensible fashion.

Analytical Framework

An electronic Excel database was used to store and assist analysis of the responses. This database enabled the storage of free text in a systematic manner whilst providing the flexibility for framework amendments as the work progressed.

The fields used to record the material were based on the questions and sub-questions set out in the consultation document. Once responses had been examined, a small number of additional fields were added to accommodate sub-themes in questions. The result was a comprehensive list of fields which formed the headings for the consultation database of responses.

Ground-Rules

Separate Responses from the Same Individual/Organisation

On occasions, one respondent may send in more than one response. This can occur, for example, when they have further thoughts on the issue and wish to make more comment. In other instances, the respondent may have simply forgotten to enclose some evidence in their first reply and they contact the consultation team again with more information. On occasions, a respondent may send the same response in both electronic and hard forms.

Both the Inquiry team and the research team were alert to the possibilities of such double entries. Any identical responses were picked up by hand searching or electronic screening and removed from the exercise.

Quantitative Material

Although much of the analysis was based on descriptive free text, some scope existed for quantitative analysis and this was exploited. Such data usually involved approximate counts of the numbers of respondents who commented on particular topics and, within these groups, the numbers of respondents holding particular views. However, because of the open nature of the consultation, which did not require people to provide a response on every issue, and the approach adopted by some consultees of providing general comments rather than responding to each question posed, **quantification of responses**

should be treated as indicative and illustrative rather than absolute. In addition, it should be noted that **any statistics quoted here cannot be extrapolated to a wider population outwith the consultation population.**

Factual Accuracy

The views presented in this analysis have not been vetted in any way for factual accuracy. **The opinions and comments submitted to the consultation may be based on fact or may, indeed, be based on what respondents perceive to be accurate from their perspective, but which others may interpret differently.** It is important for the analysis to represent views from all perspectives. The report may, therefore, contain analysis of responses which may be factually inaccurate, but are objective in terms of their reflection of strongly held perceptions.

CHAPTER 3: RESPONDENTS' VIEWS ON THE CONSULTATION PROCESS

Several respondents from a range of different respondent categories commented on the consultation exercise itself and/or the content of the written consultation document. Two current crofters were particularly appreciative of having been consulted. One commented:

“I don't think that I've ever sat down to think of what it means to be a crofter”

Another urged that this form of communication should continue:

“I agree with the thrust of your consultation and every effort should be maintained to increase consultation and involvement in this manner”

One NGO stressed that having consulted with the crofting communities, the Committee should now pay more attention to crofters' views than the NGO thought had been the case in the previous debates on the Land Reform Bill.

The wording and format of the call for evidence response form attracted some comment. One organisation's view (PB) was that the form:

“...was really more suited to responses from individual crofters and did not provide a very suitable format for the material you were seeking from us”

Others argued that the form did not suit all crofters:

“The form is not crofter friendly. The questions are too open and complex and gives the professional form-filler lobbyist an advantage” (Cr)

“The multiple questions call for essay-sized answers. Next time be realistic” (Cr)

“Your questions seem removed from reality and mostly irrelevant to someone working on the ground who does not have your overview. I hesitated answering this due to that” (Cr)

Despite such reservations, it was of note that most respondents provided some commentary on the majority of the 14 topics raised.

The Inquiry Committee's public meetings in the crofting counties attracted a few comments. One respondent (Cr) was concerned at what they considered to be the low turn-out at the meeting held on Orkney and suggested that this might have been due to an

inconvenient timing of the meeting and the lack of advertising in the local papers. Another (ASP) remarked that:

“A few of us felt very strongly about not being able to take notes. It made us feel there was a hidden agenda and we now have reservations regarding this document”

Finally, 2 respondents raised a shared concern that the role of the traditional landowner should not be marginalised in the consultation process. One of these expressed disappointment that the Committee of Inquiry did not include a landowner within its membership (RB). The other considered that the Committee appeared to have overlooked the interests of the owner of the land in its Inquiry (NCr).

The following 14 Chapters document the substance of the analysis, presenting the main issues, arguments and recommendations contained in the responses. The Chapters follow the ordering of issues raised in the consultation document.

CHAPTER 4: VIEWS ON THE ROLE OF CROFTING IN POPULATION RETENTION AND GROWTH

The consultation asked:

How can crofting contribute to population retention or growth in remote areas? What do you think would help attract new entrants and/or retain people? Would it matter if new people came from outside crofting communities? Please tell us how what you say applies to your area.

4.1 HOW CAN CROFTING CONTRIBUTE TO POPULATION RETENTION OR GROWTH IN REMOTE AREAS?

One hundred and seventy one respondents (61%) provided their views on this topic. Of these, 21 (12%) stated clearly that they did not think that crofting could contribute to population retention or growth in remote areas. A further 7 respondents (4%) considered that crofting could contribute only if certain changes were made. The remaining 143 respondents (84%) provided a mix of responses ranging from those who stated simply that crofting played a crucial role in retaining and growing the population in remote areas to those who identified particular reasons and/or factors associated with crofting which they felt could help to encourage population retention or growth.

Views of those Identifying a Role for Crofting in Population Retention or Growth

Many respondents from different categories agreed broadly that crofting provided a **tie to the land**, with some describing it as a “*glue*” (RB, Cr, Cr), or acting as a “*rooting agent*” (Cr) or “*social adhesive*” (Cr), and a “*lifeblood*” (Cr) for smaller communities.

A recurring theme was that crofting could contribute to retention and growth by making **crofts more accessible**, by, for example, bringing back into use neglected crofts, subletting those with absentee tenants, and breaking up multiple holdings. Many respondents commented that the **availability of affordable housing and secure tenancies** associated with crofting were other factors which helped retain populations.

Several respondents described crofting as a **resource or base for families** of limited means comprising a place to live and work. One typical comment was:

“It makes life on the margin sustainable” (Cr)

Other less frequently mentioned factors which respondents considered helped in the retention or growth of the population were:

- Crofting provides some income
- It provides a good quality of life

- The grants and other support help to retain people
- The availability of other employment in the crofting areas keep people on crofts
- Crofting provides a sense of purpose
- Crofting gives people a stake/foothold in a community – a sense of belonging
- People stay to look after their livestock
- Crofting provides people with an interest in life
- The practice of handing crofts down in families helps to retain populations
- Crofting legislation and incentives are designed to retain populations

One respondent argued that the *perception* of crofting as an ideal way of life attracted people to crofting counties:

“an idealistic misconception that crofting offers an economically viable way of life, based on the traditional working of a small plot of land” (RB)

One consultee considered that crofting could retain, but not grow, the population (Est). Another (PB) suggested that demographics (with the emphasis on attracting younger people) should be at least as important as population in absolute terms. This respondent also recommended that clarity was needed on whether population in this context referred to crofters and their families only, or to everyone within a crofting community. They argued that whilst crofting itself could help to retain populations, other local people might also contribute by running businesses, and facilitating broader useful developments.

Views of those who Did not Consider that Crofting Contributed to Population Retention or Growth

Those who did not think that crofting could contribute to population retention or growth were largely crofters. Many considered crofting to be outdated and not economically viable. Some felt that children moving away to school would not be attracted back to what some considered served more as a hobby than an economically active life.

One view (Cr) was that the current legal structure and controls and their application curtailed crofters’ ability to realise their investment and to restructure as they wished. Another view (Cr) was that the right to buy legislation undermined any retention or growth of local populations. Some respondents argued that crofting did not have the necessary supporting infrastructure to retain populations.

Seven consultees considered that crofting had the potential to contribute to population retention or growth only if:

- crofters are freely allowed to sell their plots to locals and incomers (Cr)
- more house sites are made available (Cr)
- supported by a comprehensive suite of measures to tackle economic difficulties (Cr)
- crofts become available to young couples or families of limited means (NCr)

- combined with employment opportunities (Cr, Cr)
- a range of employment, social and educational services are also accessible (NCr)

4.2 WHAT DO YOU THINK WOULD HELP ATTRACT NEW ENTRANTS AND/OR RETAIN PEOPLE?

Overall, 141 respondents (50%) responded to this question. To some extent their responses overlapped with those relating to the previous topic, however, some fresh ideas were also put forward.

The most frequent themes to emerge were:

- Every effort should be made to **provide crofts to meet the demand** (eg by bringing back into use neglected crofts; making crofts available at capped/reasonable prices; and so on)
- **Housing** should be made accessible and affordable
- Effort should be put into providing and sustaining other **local employment opportunities**
- Effective **grants and subsidies** should be retained

In relation to the last bullet point, some respondents urged that grants be targeted at those who genuinely wish to croft (Cr, NCr). One comment was that this form of financial help was “*artificial*” and attracted the “*wrong sort*” (Cr). There was a call for simplification of the process of accessing grants (Cr). Others argued for financial help to be tailored specifically to crofting rather than more generally to farms and estates (Cr, Cr). One recommendation was for a “spouse allowance” for the partners of aspiring crofters, who are re-locating from other areas (DK).

Another common theme (emerging largely from crofters) was that the generation of a **greater financial return** for their efforts would encourage people to become crofters. Others argued for **improved infrastructure** to support crofting. Specific services mentioned in this respect were roads, information technology, health, veterinary, local abattoirs, water connections, schools and libraries. Two respondents (Cr, DK) called for **enhanced opportunities for social activities** in crofting counties, particularly for teenagers. The need to **prioritise young people** in terms of grants and encouragement, and facilitate their access to crofts, was recommended by several consultees from a range of categories.

Another theme developed by both organisations and individuals was the need for some form of **organised information service**, or one-stop shop (NGO, Cr) which new crofters could access to support them through the initial stages of crofting. Ideas included a “*welcome pack*” for new entrants (CG, Cr); apprenticeships (Cr); “*taster sessions*” (NGO); mentoring schemes (Cr); and training courses on rural skills such as animal husbandry and fence erection (Cr, Cr, Cr). Some consultees considered that the Crofters

Commission should be providing new entrants with more support (NGO, LA, Cr). Another idea was for the Government or an Advisor to provide realistic information for those considering crofting (DK).

Some respondents argued that a **more appropriate regulatory framework** could contribute to attracting and retaining crofters. Several remarked that they found the current system to be restrictive and presenting a barrier to their activities as crofters. Some **simplification of regulations** was called for (CC), with a shift in policy focus away from promoting livestock to encouraging diversification (Cr, Cr). One organisation (LA) requested **aligning crofting policy more closely with other public sector policy** to achieve their mutual aims of supporting crofting. Another recommended **more co-ordination between the Government agencies** charged with supporting crofting (PB).

A related theme was the call for a **reduction in paperwork/form filling**. A pertinent comment was:

“Young people often see crofting as a hard, paperwork riddled occupation that they often have no desire to enter given the fact that full time employment can be gained elsewhere” (NGO)

Some consultees (largely crofters) considered that crofting could be marketed and publicised more effectively to people outside the crofting counties. One crofter remarked:

“At the moment crofting is seen as ‘old men and sheep’ and is not at all attractive to youngsters”

A few recommendations were made by one or only a small number of respondents:

- Make better assessments of incomers and introduce a probationary period
- Increase local tolerance of incomers
- Get rid of the right to buy
- Develop Community Ownership
- Encourage crofters of retirement age to make their crofts available to others

Two consultees argued that young people should be allowed to experience the wider world before being encouraged to return to crofting (Cr, RB). A further two respondents thought that crofting was attracting the wrong sort of person – *“not bona fide”* crofters (Cr, Cr).

Three organisations stated that there seemed to be no shortage of *demand* for crofts from new entrants, but they had a problem in *accessing* crofts (RB, CG, NGO). One described how there were already 900 people on the waiting list for a croft in the Highlands and Islands (NGO).

4.3 WOULD IT MATTER IF NEW PEOPLE CAME FROM OUTSIDE CROFTING COMMUNITIES?

In total, 162 respondents (57%) addressed this topic. Of these, 24 respondents (14.8%) clearly considered that new people should not come from outside crofting communities. The number of consultees who wished to see new entrants from outside crofting communities could not be quantified precisely as many respondents provide more general commentary on the topic, weighing up pros and cons, or stipulating conditions for new entrants.

Comments on the Question

Six respondents commented on the question itself. All perceived the topic to reflect a discriminatory attitude. Four consultees appeared to consider the question irrelevant with all remarking that no one could be excluded from crofting communities based on grounds of origin (NGO, NGO, CG, DK). One respondent considered that the existence of the question symbolised a wider discrimination against crofters, by suggesting, for example, that they do not have their own fresh ideas (NCr). The remaining respondent considered that the question brought shame on the crofting communities by having to be asked at all (Cr).

Positive Comments Relating to Incomers

Twenty-nine respondents (17.9%) stated simply that it did not matter where new crofters came from. Two remarked that people have been migrating in and out of the Highlands for centuries (NGO, Cr). Another commented that suitability of skills was far more important than origin of incomer (PB). Many other consultees identified the benefits which they thought incomers could bring to crofting communities. These are listed below in order of frequency of mention.

Table 3: Benefits of Incomers Identified by Respondents

Benefits	No. of Mentions
Bring new ideas	15
Essential to ensure future population	9
Bring new opportunities for local employment	6
New energy/new enthusiasm	5
General positive contribution	4
Can bring young families	3
Support existing local business	2
Boost school roll	2
Bring new skills	1
Not tied to past cultural baggage	1
Encourage diversity	1
Incomers can be more proactive than locals	1

Key to abbreviations: Cr (Crofter), NCr (Non-Crofter), ASP (Aspiring Crofter), DK (Individual of unknown crofting status), CG (Common Grazings Committee), NGO (Non-Governmental Organisation), RB (Representative Body), LA (Local Authority), Est (Estate), PB (Public Body), CC (Community Council), ORG-DK (Organisation but nature unknown)

These views were submitted by respondents representing a range of respondent categories, including active crofters and non-crofting individuals, with no particular over-representation of any sector.

Conditional Welcome to Incomers

Many other consultees gave a conditional welcome to the notion of incomers, stating that new people from outside crofting communities are welcome but only if certain conditions are met. The conditions they identified are listed below, again in order of frequency of mention.

Table 4: Views on Conditions of Welcome of Incomers

Recommended Conditions	No. of Mentions
Must show serious/genuine intention to croft	10
Incomers must work their croft	9
Local demand for crofts satisfied first	7
Incomers must understand the ethos and community spirit of crofting	6
Must show commitment to crofting	5
Must become part of the community	4
Must be willing to contribute to the community	4
Must have a desire to croft	2
Must know beforehand what is involved	2
Local young people should have first access to funding and employment	1
Should be the “right type”	1
Should have practical skills	1
Should be from agricultural background	1
Should have Highland connections	1
Must be willing to accept advice from older crofters	1
If sensitively controlled	1

One crofter respondent identified themselves as an incomer and presented their view that incomers should be given the opportunity to join the crofting community but only if they are committed to crofting activity. This, they suggested could be supported by the availability of advice on issues such as how best to integrate with the indigenous population and the role of the Grazings Committee.

Others supported the idea that incomers should come prepared to fit in:

“Those who come because they like the peace, tranquillity and lifestyle and immediately set about altering it are not welcome” (Cr)

“Complaining about noise of sheep, cows and hens will not endear them to local crofters!” (Cr)

Views of those Opposed to New People Coming from Outside Crofting Communities

The 24 respondents who appeared to be firmly against new people coming from outside crofting communities were largely crofters and Common Grazings organisations. Their rationale tended to focus around resentment at what they perceived to be the speculative ventures of many of the newcomers, who priced out locals, and contributed to the out-migration of young local people; and their view that incomers did not have a feel for the realities of crofting and the community ethos associated with it. One comment was that incomers find that the “*novelty*” soon “*wears off*” (Cr). Another consultee stated that they were not in favour of new entrants, “*who despise and reject our Christian heritage, practice and principles*” (Cr).

Some concern was expressed that allowing incomers would result in a dilution of Highland values and a gradual loss of the Gaelic language.

Even amongst others who saw benefits in attracting incomers, there was concern that one side-effect was an inflation in property prices (LA, Est, Cr).

Other Comments

Many respondents provided general commentary rather than stating whether or not they supported people coming from outside crofting communities. These comments can be summed up thus:

- People should be more informed about crofting prior to buying a croft
- There should be a trial period for incomers working a croft
- The Crofters Commission should have powers to remove a croft from an incomer if it is not being worked
- Incomers do not have the bond to the land which indigenous crofters have
- Incomers should respect and listen to the views of locals on crofting
- Too many incomers have an unhelpful, romantic view of crofting
- Incomers have to be better than average to succeed and be accepted by a crofting community
- People coming in from the outside tend to find it difficult to work alongside locals as their equals
- Incomers should be monitored to ensure there is no cruelty to their animals through ignorance
- Incomers should be vetted as to their ability: “*there are too many would-be crofters with a couple of grants and a horse!*” (Cr)
- Need to get a balance of incomers and indigenous crofters. Perhaps new entrants should not exceed 50% of any township?

4.4 PLEASE TELL US HOW WHAT YOU SAY APPLIES IN YOUR AREA

Forty-one respondents (14%) illustrated their response with an example from their particular location which focused largely on the issue of incomers taking up crofts.

There was a broad balance in responses between examples of successful integration of incomers, and examples which highlighted what locals saw as drawbacks. A few respondents (Cr, Cr, Cr) reported incomers in their areas to be even more committed to crofting than indigenous crofters. Others commented that newcomers had integrated well with no problems to report (Cr, Cr, Cr, NCr). Some remarked that indigenous crofters in their locality were not outnumbered by incomers (LA, Cr). One respondent described how an incomer had set up a new and successful local business (DK).

Others (largely crofters) however, reported instances of incomers neglecting their crofts, pushing house prices up, using crofts for holiday homes, ignoring the “rules of crofting”, and reducing the common purpose and working associated with traditional crofting.

Some provided examples of ways in which they were attempting to encourage young people to stay in the area, eg by trying to change legislation on the right to buy (NGO, NGO). Several (crofters and Common Grazings Committees) reported significant local demand for crofts which meant that there were few incomers to their townships.

SUMMARY OF KEY POINTS

- The majority (84%) of those who responded thought that aspects of crofting could help to encourage population retention or growth.
- The most frequently mentioned ways to help attract new entrants were to make efforts to provide crofts to meet demand; make housing more accessible and affordable; provide local employment opportunities; and retain effective grants and subsidies.
- Only a minority of 14.8% of those who responded considered that new people should not come from outside crofting communities. Their main concerns were that incomers might price locals out of the housing market, and they may not understand the community ethos of crofting.
- The most frequently mentioned benefits of incomers to crofting communities were that they brought new ideas and were essential to ensure future populations in remote areas.

CHAPTER 5: VIEWS ON THE IMPACT OF CROFTING ON THE LANDSCAPE AND ON NATURE

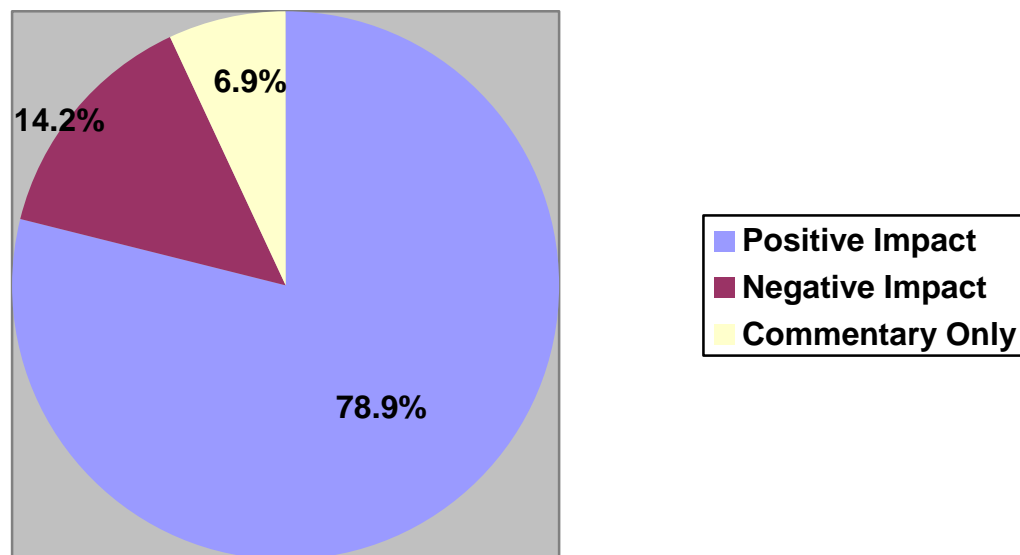
The consultation asked:

What impact do crofting activities have on the landscape and on nature? Please tell us about these activities and the effect they have in your area.

5.1 WHAT IMPACT DO CROFTING ACTIVITIES HAVE ON THE LANDSCAPE AND ON NATURE?

This question attracted much attention with 233 respondents (83%) addressing it. The prevalent theme was that crofting has the potential to have a positive impact on the landscape and on nature, although in some areas this impact was being curtailed due to a range of influences such as changes in the type of crofting activities now being undertaken. A broad breakdown in views is represented in Figure 2 below:

Figure 2: Views on the Impact which Crofting has on the Landscape and Nature



Whilst almost 4 out of 5 of those who responded considered that crofting impacts positively on the landscape and on nature, a sizeable minority (14.2%) viewed this impact to be detrimental.

A broad comment made by 9 respondents (largely organisations) was that the impact of crofting would change over time as crofters responded to current financial incentives and the policy in operation. Therefore the impact could be positive or negative depending on the prevailing regime. A typical comment was:

“Our point is that the impact on the natural environment by crofting is considerable, is changing, and will change again, driven by external forces”
(PB)

Views on the Positive Benefits of Crofting on the Landscape and on Nature

Many consultees described what they saw to be a natural synergy between the crofter and the land. For example, crofters were seen as:

“the original environmentalists” (Cr)

“custodians of the land” (Cr)

“architects of the landscape” (NCr)

“stewards of the land” (Cr)

A large volume of respondents, representing a variety of respondent categories, agreed that crofting served to **encourage bio-diversity**, resulting in a wide range of flora, fauna and wildlife in crofting areas. Some commented that the ESA Scheme has reduced what they saw as the previous overgrazing of sheep on the hills and this had consequently enabled a greater range of wildlife to flourish.

Many consultees used the term *“mosaic”* to describe the visual appearance of a crofting landscape. Several respondents identified specific species of birds or vegetation which they considered had been encouraged by crofting activities. Most frequently mentioned was the prevalence of the corncrake as an example of a rare bird able to survive in the physical environment created by crofting. Other common examples were ground nesting birds, Greenland Geese, the corn bunting, the chough, the lapwing, skylark and curlew. It was commented that several cornfield weeds which were rare or absent in other parts of Scotland, survived in crofting areas (PB). A few respondents highlighted the machair grasslands which flourished in areas of crofting counties (NGO, Cr).

A recurring comment (largely from organisations) was that crofting provided a **low-intensity form of farming** which was particularly environmentally friendly to the landscape. Several others commented that **traditional grazing based around cattle** was very beneficial in supporting bio-diversity. Two crofters considered that grazing sheep helped to **prevent the tick population** getting out of hand.

Some respondents remarked that crofters tended to use **organic methods** of farming which relied less on chemicals and more on local resources such as seaweed for fertiliser. Others identified the tendency of crofters to practise **rotation of crops** as particularly beneficial. One view was that Land Management Contracts should incentivise this practice to encourage it (Cr).

A common theme was that **active crofting keeps weeds at bay**. It was pointed out that where crofts are neglected the land quickly reverts to rushes, bracken, thistles, ragwort and birch. (Although one crofter argued that even neglected crofts can be beneficial for wildlife to some degree.)

Several respondents commented that active crofting produced the **visual impression of well-managed land**, with tidy fencing, paths and housing. Others remarked that this impression attracted and **appealed to tourists**.

A few consultees mentioned that **agricultural support schemes** were important contributors in helping crofters to maintain an attractive and healthy landscape. The Rural Stewardship Scheme was identified as being particularly beneficial (DK, CG).

Views on How Crofting can be Detrimental to the Landscape and to Nature

Of the 33 consultees who argued that crofting was not always beneficial to the landscape and to nature, most considered that it was *poor crofting practice* that led to this negative impact. However, a few remarked that any impact was necessarily limited due to the fraction of the landscape on which crofting was practised (Cr, Cr).

A prevailing view was that what was seen as a **reduction in traditional land management** due to changes in financial incentives was contributing to a diminution of previous benefits of crofting to the landscape. For example, it was commented that a loss of payments for sheep and cattle resulted in undergrazing of land and the return of some land to scrub. However, others argued that years of **overgrazing by sheep** in particular had been detrimental to the landscape in crofting areas. Of particular concern was the damage which sheep can do to saplings (Cr, Cr).

Particular crofting practices were identified as impacting negatively on the landscape, for example, the **burning of heather** (leading to an increase in bracken) (Cr, Cr), **too much fencing** (Cr) and **over-intense cultivation of small size crofts** leading to an “*allotment feel*” (Est).

A common complaint was that **absenteeism and neglect** of crofts led to the detriment of the landscape and nature. Neglect was seen as enabling croft land to return to rushes, with crumbling walls and broken fences making for a poor visual impact. One crofter called for the return of fencing grants to help combat this problem (Cr).

One organisation (PB) provided a list of “*negative changes*” experienced by crofting which they felt had impacted on the landscape including:

- Neglect of agricultural management
- Simplification of crofting to a single enterprise
- Hay-making giving way to silage

- Cattle lost or replaced by sheep
- In-wintering of cattle
- Amalgamation of crofts so fewer people work the land
- De-crofting land for housing

5.2 PLEASE TELL US ABOUT THESE ACTIVITIES AND THE EFFECT THEY HAVE IN YOUR AREA

To a great extent, consultees' responses to this question were subsumed under their response to the previous topic at 5.1 above, therefore it is not possible to quantify submissions relating only to this question.

Comments tended to support the views provided above, with many respondents describing the work they had done on their crofts which they felt had been beneficial to the overall landscape. Others remarked that a decline in crofting in their area had resulted in drawbacks such as a return to scrubland (Cr), to tick infected heather (Cr) and to rushes (Cr). One consultee attributed the reduction in crofting in their location to holiday makers buying up crofts (Cr). It was remarked that perhaps some crofters were unaware of Land Management Contracts for the elimination of rushes and bracken (the Applecross Peninsula was identified in this respect) (Cr).

Several respondents highlighted specific tree planting initiatives which they thought had enhanced their area. For example, the North Assynt Estate had seen a number of beneficial woodland projects (Cr). One consultee described the close working in their area with Royal Society for the Protection of Birds and Scottish Natural Heritage to create 2 woodlands with a car park and woodland paths (Cr). Another respondent (DK) described how they had recently been involved in planting 300 trees.

Grants and schemes were seen as enabling crofters to work their crofts to the benefit of the landscape and nature. There were many mentions of the Rural Stewardship Scheme in this regard, although one crofter argued that he could not afford to join this. Highland Council described a particular scheme which they support and which is run by the National Trust for Scotland at Balmacara, Lochalsh. The scheme provides financial support for crofters undertaking traditional croft management including small-scale cropping, hay-making and retaining cattle. The scheme was viewed as successful and worth considering for wider use.

Several crofters described a gradual decline in numbers of sheep in their areas and what they saw as the related growth in scrub and heather. One respondent reported still having 300 sheep which helped to graze the unused land in his area and keep bracken down (Cr). However, an alternative view was provided by a non-crofter who complained that their village was "*plagued*" by roaming sheep and cattle which non-crofters found a nuisance.

Finally, the situation on Jura was described as one in which crop cultivation had almost totally ceased with the land being used instead for silage (NCr).

SUMMARY OF KEY POINTS

- It was generally thought that crofting had the potential to have a positive impact on the landscape and on nature.
- Many respondents agreed that crofting served to encourage bio-diversity.
- Another common theme was that crofting provided a low-intensity form of farming which was particularly friendly to the landscape and kept weeds at bay.
- A minority of respondents argued that poor crofting practice could have a negative impact on the landscape.
- A common complaint was that absenteeism and neglect of crofts led to the detriment of the landscape and nature.

CHAPTER 6: VIEWS ON WHETHER CROFTING SUPPORTS DIVERSE CULTURES INCLUDING THE GAELIC LANGUAGE

The consultation asked:

Does crofting support diverse cultures, including the Gaelic language? Please tell us how it does this and whether what you say applies particularly to your local area.

Respondents addressed this topic as a whole, with many views drawing on local area experience. Overall, 224 respondents (79%) provided views.

It was difficult to quantify responses according to view as there appeared to be various interpretations of the question and many instances where it was impossible to be clear about whether the consultee was referring to diverse cultures, the Gaelic language, or both. A few respondents stated that they did not understand the question (Cr, Cr). Some appeared to interpret it as referring to the traditional crofting culture, others viewed the question as broader and relating to a variety of different cultures. Against this background, some quantification of views has been attempted below, but should be treated with caution and indicative only. The quantification is based on 178 responses where the respondent's view on the topic was clearly stated.

Table 5: Views on Whether Crofting Supports Diverse Cultures Including the Gaelic Language

View	No. of Respondents	% of Respondents
Supports neither Diverse Cultures nor Gaelic	43	24.2
Supports both Diverse Cultures and Gaelic	36	20.2
Supports Diverse Cultures	33	18.5
Does not Support Diverse Cultures	13	7.3
Does not Support Gaelic	28	15.7
Supports Gaelic	25	14.0
Total	178	100

NB Percentages may not total 100% exactly due to rounding

Based on these responses it appears that almost one-quarter of respondents who expressed their view clearly **did not believe that crofting supported either diverse cultures or the Gaelic language**. Most of those holding this view were current crofters with some describing how crofting supported cultures and Gaelic in the past but not now. One relatively cynical comment was that crofting appeared to be an “*English way of life now*” (Cr).

In contrast to these views, one-fifth of respondents who expressed a clear view considered that crofting **does support both diverse cultures and the Gaelic language**. It was interesting that amongst this group of respondents were several organisations, aspiring and non-crofters as well as crofters themselves. Many consultees commented that crofting facilitated gatherings and communal activities which provided the forum for underpinning culture and language. Several also conceded that with each generation and influx of incomers, aspects of culture and language appeared to diminish.

Thirty-three respondents stated clearly that they thought **crofting supported cultures** (although it was not always clear whether they meant traditional culture or diverse culture, and not always clear whether they had omitted to mention Gaelic or did not think that crofting supported this). Representative Bodies, Common Grazings Committees, Estates and one NGO, in addition to individuals were amongst this group.

The 13 respondents who argued that crofting **does not support diverse cultures** (with organisations over-represented amongst them) were largely of the opinion that crofting tended to support a *single, indigenous culture* rather than welcome other diverse cultures. One comment was:

“Hindus, Muslims and the other ethnic groups should, perhaps, have their proportional land areas too in a so-called ‘all-inclusive’ society” (Est)

It was pointed out that there needed to be a diverse spectrum of crofters to produce a diverse culture (Cr), and that perhaps more funding should be available for new entrants in order to facilitate diverse cultures (Cr).

Twenty-eight respondents made it clear that they thought that **crofting does not support Gaelic** (although it was not always clear whether they thought it supported diverse cultures). These consultees represented a range of individuals of different crofting status, in addition to organisations. A recurring theme was that crofting and Gaelic tended to go hand in hand but crofting could not be said to *support* Gaelic. Several crofters argued that Gaelic was supported more by the education system than by crofting *per se*. Others commented that incomers to the area had contributed to the dilution of Gaelic speaking although it was remarked that many new entrants were keen to try to learn the language (Cr).

Twenty-five respondents (largely crofters) made it clear that they thought that **crofting continues to support Gaelic** (although their view on whether crofting supports diverse cultures was not clear). Many commented on the use of Gaelic terminology in crofting, with one respondent describing crofting as, *“the backbone to the Gaelic language”* (Cr) and another remarking that:

“A knowledge of Gaelic is essential to understand the land and why the various parts of crofts have been so named” (Cr)

The continued use of Gaelic in connection with crofting on Tiree was highlighted by two respondents (NGO, LA).

The theme of supporting the Gaelic language was picked up by other commentators not included in the analysis above. Although one respondent argued for more help for young people to learn Gaelic (Cr), with another recommending positive discrimination in favour of new entrants who spoke Gaelic (ASP), the prevailing view was that too much effort and resources were going into keeping Gaelic alive. As one crofter put it:

“Animals aren’t bothered about what language the crofter speaks and Gaelic doesn’t improve their crofting ability!”

Several respondents thought that support for Gaelic was mis-directed and that the Inquiry should not try to encourage any resurrection of it. One view was:

“Gaelic is a dying language and a considerable amount of tax payers’ money is wasted promoting this each year” (NCr)

The notion that people speaking Gaelic should be prioritised for croft assignments was dismissed by some respondents as totally unacceptable:

“I would oppose any attempt to exclude anyone showing a dedicated commitment to crofting from a croft assignment on ground of culture, race, religion or language” (Cr)

“Much as religion played a large part in croft life in the early part of the century, who would dare to assign a croft according to their religious persuasion (now)? (Cr)

Finally, many consultees stated simply that the issues were not applicable in their (non-crofting) area, or that Gaelic had long since died out where they lived.

SUMMARY OF KEY POINTS

- One-fifth of respondents stated clearly their view that crofting supports both diverse cultures and the Gaelic language.
- Many consultees commented that crofting facilitates gatherings and communal activities which provide the forum for underpinning culture and language.
- One-quarter of respondents considered that crofting does not support either diverse cultures or the Gaelic language.
- Several respondents thought that too much effort and resources were going into keeping Gaelic alive.

CHAPTER 7: VIEWS ON THE ECONOMIC IMPORTANCE OF CROFTING AGRICULTURE AND CHANGES IN AGRICULTURAL SUBSIDIES

The consultation asked:

How important is crofting agriculture to you economically? How important do you think it will be in the future as agricultural subsidies (including Single Farm Payments, Less Favoured Area Support Scheme, agri-environment payments, Land Management Contracts and Crofting Counties Agricultural Grants Scheme payments) change? Are there other changes ahead which you think will affect crofting agriculture?

7.1 HOW IMPORTANT IS CROFTING AGRICULTURE TO YOU ECONOMICALLY?

In total, 181 respondents (64%) addressed this question. The responses represented a range of perspectives from active crofters, to retired crofters, landlords and organisations. The views of individual crofters related sometimes to crofting income only, but at other times to income from crofting and subsidies, or second incomes in addition to crofting income, making some of the responses difficult to interpret. The analysis below should be viewed in this light.

The most common perspective (54 respondents) was that of crofters who reported that crofting agriculture played only a minor role in the economy of their household. Some crofters went as far as describing crofting as a “*hobby*”, or “*expensive pastime*”, or “*interest*”. One of these respondents stated:

“Crofting needs to be recognised as a secondary or tertiary activity and not a primary or sole source of income”

Another typical comment from a crofter was:

“Here, no one depends on agriculture as a main source of income. Any profit is looked on as a Christmas bonus”

Various crofters described how crofting agriculture formed one-eighth of their income, or one-quarter of income. For some, it covered the expense of basics for their family. For others it paid a few bills. One crofter commented that crofting agriculture provided 10% of his income but took up 50% of his time.

One organisation (CG) remarked that it should be accepted that crofting is never going to be the mainstay of a crofter’s income. Others (CC, CG, NGO, Cr, Cr, Cr) agreed that income from other sources would be needed to form the main part of a crofter’s income.

Eight crofters considered crofting agriculture to be more of a cost than an income, leaving them with a deficit at the end of the year. One respondent stated wryly that at least they could set the financial loss from crofting against their income tax at the end of the year.

A further 16 respondents remarked that crofting would never be economically viable. One comment was:

“I look on my role as a crofter as a privilege rather than a profitable venture”
(Cr)

Twenty consultees reported that crofting would never be viable without the support of grants. One crofter described how some 30% of their income came from Government schemes.

Other views were that crofting was getting gradually less important economically (10 crofters). In contrast, 3 crofters stated that crofting income was becoming more important to them.

Contrasting views were provided by 33 respondents who considered that crofting agriculture was important or very important economically (although, as stated previously, it is not clear how many of these were automatically including subsidies within the overall crofter’s income). One crofter described how money from crofting comprised 75% of their overall income. Another reported crofting income to be important to him largely due to the relatively large size of his crofting land. Indeed, a few commentators highlighted that differences in significance of crofting income was to some extent due to different sizes of crofts with some of the amalgamated ones generating much higher returns (RB, RB).

Views on Economic Importance of Crofting Agriculture to Landowners

Of the 4 respondents (Est, Est, RB, RB) who commented specifically about the economic importance of crofting agriculture to landowners, 3 (Est, RB, RB) considered such activities to be largely uneconomical on account of restricted rent amounts and related administration costs. The remaining consultee (Est) thought that crofting agriculture was important economically to landowners.

Views on Economic Importance of Crofting to Communities

Nine respondents (largely organisations) viewed crofting as producing benefits for community economies. It was argued that local people could purchase locally grown products, and local contractors could be employed on crofting related activities.

7.2 HOW IMPORTANT DO YOU THINK IT WILL BE IN THE FUTURE AS AGRICULTURAL SUBSIDIES (INCLUDING SINGLE FARM PAYMENTS, LESS FAVOURED AREA SUPPORT SCHEME, AGRI-ENVIRONMENT PAYMENTS, LAND MANAGEMENT CONTRACTS AND CROFTING COUNTIES AGRICULTURAL GRANTS SCHEME PAYMENTS) CHANGE?

Overall half of all respondents (141) provided a response to this question, although most chose to comment more broadly on the various subsidies available rather than focus on implications for crofting agriculture.

A common understanding which underpinned responses was that subsidies available to crofters for agriculture were reducing. The reaction of 35 consultees was to stress the reliance of crofters on subsidies and argue that removing these from them would result in the demise of crofting until there “*are not crofters left*” (Cr) or crofting is reduced to “*just a hobby*” (RB).

It was commented that already the impact of changes to grants could be witnessed, for example in the undergrazing of common land (CG). Others argued that such changes would make crofting unattractive to potential incomers (Cr), particularly when a living could easily be made elsewhere (Cr). One respondent predicted that crofters living currently “*at the margins*” would leave due to grant changes.

A few contrasting views on the principle of subsidies in the crofting context were put forward. Whilst for some (eg many crofters) subsidies were essential and reflected the adverse conditions under which crofters looked after the land, others argued that it was not good to become overly dependent on this help (NCr), and a reduction in subsidy would help the crofter to refocus with a fresh impetus (Cr). One view was that crofters seemed to demand more and more from the taxpayer (Est). A similar point was made by a current crofter:

“Should the nation subsidise us because we choose to stay in Wester Ross?”

Respondents’ Views on Specific Grant Regimes

Single Farm Payments

Most comments were critical of these payments. They were viewed by one consultee as “*at best benign, at worst promoting inactivity*” (LA). Another agreed that the Single Farm Payment regime incentivised inactivity (DK), even to the extent of allowing bigger enterprises to reduce/dispose of their stock whilst continuing to benefit from full Single Farm Payment (CG). One study by the Scottish Agricultural College was cited and reported as demonstrating that larger agricultural units on the Uists would make more money taking Single Farm Payment and getting rid of their stock (LA). It was predicted that the effect of Single Farm Payment would be to end food production (RB). One consultee linked Single Farm Payment with an immediate and devastating effect on sheep

rearing (Cr). However, one lone voice stated that they did not wish to lose this subsidy (Cr).

Less Favoured Area Support Scheme

Many consultees saw potential in this subsidy in terms of helping crofters. However, several recommended it be better targeted to produce more benefit (LA, Cr, Cr, CG). It was seen as one of the most important schemes for crofters (Cr) with the possibilities of changing things for the better (Cr). One public body reported working with partner organisations to promote the case for refocusing the Less Favoured Area Support Scheme more productively. At present, there appeared to be anomalies such as areas of East Lothian receiving more support from the Less Favoured Area Support Scheme than parts of Harris (RB). One respondent called for a radical revision of the subsidy to facilitate a more level playing field (Cr).

One view was that there should be a closer link between Less Favoured Area Support Scheme and an environmental benefit that it is intended to support (PB); another was that the subsidy was historic-based and needed revising (Cr).

Land Management Contracts

These were viewed generally as ill-fitted for the needs of crofters (Cr, Cr) with a low take-up resulting (LA). Although it was acknowledged that they were helpful for a limited number of crofters, it was remarked that a key drawback was “*form filling*” (CG).

One view was that the Land Management Contract Menu Scheme 2006-7 provided an example of crofting land use being forced into a model of support not suited in scale or approach (RB).

Crofting Counties Agricultural Grants Scheme Payments

These received some praise, with comments such as “*essential*” (CG) and “*very useful*” (Cr). They were considered to be simple and accessible (LA) and of high importance (PB). One recommendation was for their management to be undertaken by the Scottish Executive Environment and Rural Affairs Department and not the Crofters Commission (Cr). A few crofters remarked that they could not receive these payments as they had been excluded following means testing. One commented that they regretted the flat rate of payment. One view was that the agricultural nature of the payments meant that they appeared to go disproportionately to Orkney and Caithness which tended not to have large crofting communities (NCr).

Rural Stewardship Scheme

Commentators agreed that this had been good for the relatively few crofters who had managed to secure funding, but the budget underpinning the scheme had fallen short of sustaining new entrants leaving many disillusioned (CG, RB, LA).

General Comments on Subsidies

Many respondents provided broad commentary relating to subsidies in general. Three main themes arose:

- Subsidies appear to be complicated and difficult to access
- There should be schemes tailored specifically to crofting communities
- There is a lack of knowledge on what is available

A common view from individual crofters was that schemes appeared to be complicated and difficult to access. Several respondents commented that not all crofters had the necessary skills to find out what was available, apply for subsidies and manage the paperwork associated with them. The changes in regimes were seen as confusing and intimidating. One view was that crofters needed professional help to ensure they could embrace subsidies (Cr).

Another topic raised in responses was that consideration should be given to tailoring subsidies more sharply to crofting communities. A few consultees (Cr, Cr) argued that an initial decision should be made on whether or not crofting should be supported at all. If so, then this should be done in a more focused fashion. One view was that there should be a customised financial support package for crofting (NGO). Many crofters argued that subsidies were too broad brush in treating large farmers and small crofters in the same manner. A call was made for “area-specific” subsidy programmes (NCr).

Finally, some crofters highlighted their ignorance of the subsidies identified in the question. One remarked that they had not heard of some of them, another commented that they needed information on them, and a third reported being new to crofting and knowing nothing about subsidies.

7.3 ARE THERE OTHER CHANGES AHEAD WHICH YOU THINK WILL AFFECT CROFTING AGRICULTURE?

Relatively few respondents (22%) addressed this question directly which could possibly be explained in part if many consultees shared the view of those who reported not to comprehend the changes taking place (Cr, Cr, NCr). One comment was:

“I cannot keep up with changes and I am 42 and computer literate and read most major weekly publications” (Cr)

Overarching Influences Identified by Respondents

A few consultees remarked that a significant overarching factor which would affect crofting in the future included a Government decision on whether or not crofting was worthwhile to support (Cr, Cr). One remarked:

“The government has to decide whether it wishes to fully support agriculture in the Highlands and Islands. A half-hearted approach helps no one.”

Likewise, European Union decisions on, for example, the Less Favoured Area Support Scheme (RB, Cr) or changes in Common Agricultural Policy after its reform in 2013 (RB, NGO) were seen as potential major influences on crofting agriculture.

Specific Influences Identified by Respondents

The most commonly raised topic was that **climate change** may make the production and local sale of local produce much more important by reducing the carbon footprint or “food miles” of crofting produce (NGO, NGO, RB, DK, CG, PB, NCr, Est). A future of polytunnels and locally branded food was suggested (PB). One respondent (RB) described how in their view crofting could provide small-scale communal agriculture to meet the social and environmental demands of a post-carbon economy. They added:

“It can provide a diversity of locally grown food with a small carbon footprint”

A future of **rising fuel costs** was also foreseen by some, with a few consultees (NGO, Cr, Cr) emphasising the increasing importance of locally produced food in this context, along with local slaughterhouses (Cr), and perhaps crofters growing crops for fuel (DK).

Several respondents predicted that there would be a **rise in demand for organic produce** in the future with crofters having the potential to benefit from this demand by marketing their own organic produce (CG, NCr, Cr, Cr). One consultee stressed the need to market such produce more aggressively (NCr).

Other changes ahead mentioned by fewer respondents which could affect crofting agriculture were identified as:

- Scottish Independence – eg leading to greater autonomy in fishing (Cr); more focus on local produce (NCr)
- Closer links between forestry and crofting – Forestry Commission Scotland’s Grant Schemes (NGO) and greater interest in woodland crofts (CC)
- Market forces – eg poor lamb and cattle prices (NCr, Cr)
- Diversification leading to niche crofter markets (NCr, Cr, Cr, Cr)
- Increasing demand for housing sites (Cr, NCr)

- Increase in tourism in the Highlands and Islands (RB)
- Greater regulation/paperwork which could turn people away from crofting (Cr, Cr, Cr, NCr)

SUMMARY OF KEY POINTS

- Many crofters reported that crofting agriculture played only a minor role in the economy of their household.
- It was commonly understood that subsidies available to crofters for agriculture were reducing and that the removal of these would result in the demise of crofting.
- Most of those who commented were critical of the single farm payments which were seen as promoting inactivity.
- Many consultees saw potential in the Less Favoured Area Support Scheme in terms of helping crofters.
- Land management contracts were viewed as ill-fitted for the needs of crofters.
- Crofting Counties Agricultural Grants Scheme payments were seen as simple and accessible and useful to crofters.
- The rural stewardship scheme was viewed as beneficial for the relatively few crofters who had managed to secure funding, but limited in overall budget leaving many unable to access it.
- Respondents identified key factors which could affect crofting in the future as Government support (or lack of it), climate change, rising fuel costs and a rise in demand for organic produce.

CHAPTER 8: VIEWS ON CROFTERS GENERATING INCOME FROM SOURCES OTHER THAN AGRICULTURE

The consultation asked:

Do you think that it is a good thing that crofters generate income from sources other than agriculture? Is this adequately supported? Please tell us about your own experience.

Respondents tended to address these questions together as one topic and their responses are summarised below accordingly. Overall, 257 respondents (91%) addressed these questions.

Views on Generating Income from Sources other than Agriculture

Almost every response emphasised the necessity of crofters generating income from sources other than agriculture. It was pointed out that this had always been the case and was part of the crofting lifestyle. Typical comments were:

“We would never have survived financially were it not so” (Cr)

“Good is questionable. Essential is the reality” (Cr)

“The reality (of crofting) is more often a part time occupation which needs to be underpinned by alternative and usually outside employment, supplemented by publicly funded grant support” (RB)

“It is important in most walks of life not to have too many eggs in one basket”
(NGO)

Despite acknowledging the need for generating other incomes, many respondents also pointed out the drawbacks of such a way of working. A drawback commonly highlighted was that some forms of alternative employment could work in conflict with crofting. For example, providing land for camping or caravanning could create tensions within the Township. Another example from Jura was that some crofters are employed in servicing the large, sporting estates, although the existence of these could be seen a major factor inhibiting crofting (NCr).

A few consultees commented that having 2 jobs was tiring (Cr) and could mean that crofting activities suffer through lack of time and energy (Cr, Cr, Cr). One respondent remarked that employment away from the croft meant that a crofter was not around to help when neighbours were in need (Cr).

Views on Whether this is Adequately Supported

A few respondents stated that they were unsure what this question meant (Cr, NGO) or that it was difficult to answer (Cr, DK). Few consultees appeared to address the topic although of those who did, their understanding of “support” ranged from purely financial help to social, organisational and attitudinal support too.

It was considered that crofters should receive the same incentives as non-crofters in diversifying to new businesses (Cr). Initiatives such as the Crofting Communities Development Scheme were commended (Cr) along with the Highlands and Islands Diversification Schemes (NCr). The previous ABDS (Agricultural Business Development Scheme) was praised as was the Rural Enterprise programme (Cr). It was felt that locally tailored schemes worked better than centralised schemes (Cr, LA). The crofting initiative programmes at Wester Ross were mentioned in this regard (ASP). One comment was that the one-size fits all regulation in fishing regarding quotas and conservation measures serves to impact disproportionately on part-time fishermen (LA). Although Local Enterprise Schemes were seen as providing some support, they were seen as having more potential to strengthen this (NCr, LA).

One local authority described how they had supported crofters seeking other employment by decentralising council jobs and supporting further dispersal of public sector jobs. One public body also reported encouraging and supporting alternative employment possibilities.

Around 50 respondents from a range of respondent categories stated clearly that they did not think that crofters were adequately supported in generating income from other sources. A common theme was that there did not appear to be much support for crofters wishing to diversify (Cr, Cr, Cr, NCr, ASP, CG). Others thought that tourism activities needed more support (NGO, Cr).

Specific barriers to generating income from other sources were identified as including poor local infrastructure (Est); lack of broadband (Cr, Cr, LA); planning restrictions (Cr, Cr); lack of water connections (Cr); unhelpful European legislation (NCr); objections of outsiders to developments such as windfarms (Cr, Cr); and inflexible employer policies (Cr, DK). One consultee commented that local big employers, such as local authorities and the Forestry Commission, should be given encouragement to be more flexible in allowing home working, and flexible working hours.

Nature of Crofters’ Alternative Sources of Income

Crofters and non-crofters alike provided examples of the types of occupation which they or someone they knew had earned income from at the same time as crofting. These are listed below (in no particular order):

Fishing	Bed and Breakfast	Self-catering cottage	Café
Craft shop	Tourism	Teaching	Public Service
Outdoor centre	Firewood business	Tapestry	Weaving
Beekeeping	Formerly - railway	Formerly - Dounreay	Formerly – South Uist Rocket Site
Farm working	Horticulture	Construction	Camping Sites
Knitwear	Guest House	Plant Operator	Creamery
Veterinary	Haulage	Machinery repairs	Local Authority
Seaweed cutting	Oil Rigs	Fencing contractor	Road worker
Repairs on other crofts	Environmental Officer	Driver	Knitting
Butcher	Postman	Electrician	Fishfarm worker
Harbourmaster	Carriage Driving	Estate Worker	Historical Research
Quilt Maker	Civil Service		

SUMMARY OF KEY POINTS

- Almost all of those who responded emphasised the necessity of crofters generating income from sources other than agriculture.
- Many respondents considered that generating income from other sources had always been part of the crofting lifestyle.
- There were mixed views on whether crofters were adequately supported in generating income from other sources.
- A wide variety of examples of alternate employment opportunities for crofters was provided.

CHAPTER 9: VIEWS ON REGULATION RELATING TO NEGLECT OF CROFTS AND ABSENTEEISM

The consultation asked:

Should there be stronger regulation of land use to prevent neglect of crofts or absenteeism? How do you think appropriate use of croft land should be secured?

Nine out of every 10 responses (90%) addressed this topic. It was clear from many submissions that some respondents found the topic complex with no one right way to proceed emerging. Complicating factors included different definitions of what constituted neglect or proper use of crofts. In addition, respondents considered that local and individual circumstances needed to be taken into account when dealing with cases of neglect and absenteeism. There were many calls for sensitive handling of these issues, with much support for combining support with the application of regulations, in effect a carrot and stick approach.

9.1 SHOULD THERE BE STRONGER REGULATION OF LAND USE TO PREVENT NEGLECT OF CROFTS OR ABSENTEEISM?

It is difficult to be precise about levels of support for stronger regulation amongst respondents. Around 95 responses (37% of those who addressed the topic) appeared to agree that stronger regulation of land use was required, although it was not clear whether some of these referred to stronger *application* of existing regulations or the introduction of new regulations. These responses had been submitted by a wide range of respondents from different categories. Some consultees were more forceful than others in stressing the need for tighter rules. One view from an aspiring crofter was that “*every empty croft is a family opportunity denied*”. Others recommended that more resources be made available to the Crofters Commission to help them to enforce any new regulations (NGO, NCr). Two respondents commented that stronger regulation was in the interests of the crofting communities over those of the individual (Cr, Cr).

The responses from those appearing to be clearly against stronger regulation could be gauged at around 80 in total (31%). The most common rationale to emerge from these was there is already an adequate regulatory framework in existence but that this needs to be applied more rigorously by the Crofters Commission. Those holding this view were largely individual crofters. Typical comments included:

“...presumably they (the Crofters Commission) do not want to upset the established order of assumptions, relationships and land use in crofting townships?” (Cr)

“The Crofters Commission seems to take a mixed line of bureaucratic threatening and softly, softly approach to absenteeism. This is both confusing and tedious” (Cr)

“The current Crofting Act and the New Bill have enough teeth to secure the uses. It appears to be the lack of will to enforce the regulation which sees confusion and misuse” (Cr)

“Although it (the Crofters Commission) has done so (dealt with absenteeism) with discretion in the past few years, the time is now right to be more rigorous in dealing with absenteeism” (LA)

Others, however, argued that more regulation was inappropriate as the issues were subjective (NCr), and required a more common-sense approach (Cr) rather than the heavy-hand of rules. It was commented that even with rules, some people would always find their way around these (Cr). A few respondents argued that regulations could not force absentees to return to their land to work at something that was not profitable (Cr, DK, LA). One view was that no one neglected their croft on purpose (Cr) and that there should be flexibility for people to spend absent periods prior to returning (Cr). It was acknowledged that a host of different reasons could lead to periods of absenteeism and neglect, with one respondent suggesting that what was required was:

“a more fundamental reassessment of what is required from crofting and how this can be realistically delivered” (NCr)

One comment was that decades of regulation had not prevented absenteeism and neglect so more regulation was not likely to be the solution (DK). This overall sentiment was supported by others with different perspectives, for example:

“It could be argued that the bulk of existing regulation is not fundamentally flawed and is not in serious need of change. Rather it is the way in which legislation is implemented and interpreted that needs to be reviewed” (NGO)

“Many crofters are trapped by legislation that prevents them using their land for non-agricultural use, thus making the best use of it” (Cr)

One explanation for the range of views expressed appeared to be that respondents had very different experiences of absenteeism and neglect in their areas. For example, whilst some reported the local situation to be *“a disgrace”* (CG) or affecting some 700 crofts on the Western Isles (NGO), others remarked that there was no problem in their own township (Cr, Cr, CG).

9.2 HOW DO YOU THINK APPROPRIATE USE OF CROFT LAND SHOULD BE SECURED?

An overwhelming message was that securing appropriate use should be done sensitively and with compassion. Many respondents acknowledged that absenteeism and neglect could result from a range of genuine factors such as illness, old age, and economics, and

tackling these issues needed to reflect this. A common theme was that each case should be decided on its own merits, for example, older people who have worked their croft all of their lives should not have the croft taken from them due to neglect in later life.

Against this background many suggestions were made for addressing the situation, which was seen as a problem both in terms of blocking the opportunities for aspiring crofters and in keeping land and animals healthy. These suggestions are reported below.

Encourage Absentees to Agree to Sub-Let

This was the most common solution suggested by respondents involving around 40 consultees (16%). Most recommended a voluntary system whereby after a set period of absenteeism the absentee is encouraged to make their croft available for sub-letting for a period of between 3 to 15 years. Some respondents went further in recommending automatic sub-letting following a set period, or even the tenancy taken away from the tenant who would be paid compensation for any improvements made by them. It was generally considered, however, that where an absentee is an owner of the croft, there would be little scope for such action.

One word of warning was issued by a representative organisation which expressed concern that sub-letting in this fashion might lead to an underclass of crofters with fewer rights than other crofters.

Deal with Absenteeism and Neglect on Area by Area Basis

Sixteen respondents (6%) called for local solutions to absenteeism and neglect. Rather than expecting the Crofters Commission to handle problems, it was considered more appropriate for local area committees (RB), local landowners (CC), “Department of Agriculture” local officers (Cr), Grazing Committees (Cr, RB), or local crofting panels (Cr) to be involved in decisions on tackling these. One respondent (Cr) called for “*someone on the spot*” to decide on the necessary action.

Some respondents emphasised that decisions emerging from local people and organisations would be more tailored to the situation than, “*forced change which can alienate*” (Cr). Some went so far as recommending voluntary arrangements between the absentee, croft owner and local people (Cr). It was interesting, however, that one Common Grazings Committee highlighted their reluctance to play such a role in tackling absenteeism and neglect as in their view this could create strife within their township.

Incentivise to Get Land Worked

Fifteen respondents (6%) reiterated what they saw as the need for regulatory control to be complemented by incentives as an effective means to tackle absenteeism and neglect. Representative bodies were over-represented amongst those who called for financial encouragement to absentees to work their land or pass over the croft to those who are

prepared to work it. This was seen as a “carrot and stick” approach (LA) which was envisaged as potentially useful in encouraging older crofters to pass over their crofts to younger people (RB, RB).

Other Proposals for Securing Appropriate Land Use

A wide range of other proposals for securing the appropriate use of croft land was suggested by either a few or only one respondent. These were:

- Explore possibilities of permitting neighbouring active crofters to work the land for temporary periods.
- Place a moratorium on the sale of crofts.
- Stop any further right to buy.
- Complete and computerise the croft register.
- Make unoccupied crofts available to Housing Associations.
- Publicise (shame) absentee crofts.
- Facilitate confidential reporting to Common Grazings Committees of comments regarding absenteeism and neglect.
- Ban assignments of crofts to family members if they are absent.
- Provide Ministerial direction.
- Insert a clause in the assignment procedure to say that if the croft is not worked, the assignment can be repealed.
- Place a financial levy on absenteeism to focus the mind on releasing the land.
- Ensure that people know what they are taking on when they are assigned a croft.
- Make crofters fill in an annual return to say how their croft has been used for the previous 12 months.
- Ensure the regulations on absenteeism and neglect are known to tenants.
- Ensure more careful vetting of incoming tenants.
- End the practice of any assignment to absentees.
- Raise croft rents to a more economic level.

SUMMARY OF KEY POINTS

- Many respondents found the topic of regulation relating to neglect of crofts and absenteeism complex with no one obvious way to proceed.
- A common view was that local and individual circumstances needed to be taken into account when dealing with cases of neglect and absenteeism.
- It was recommended that handling of such cases be done sensitively and with compassion.
- A recurring view was that there existed an adequate regulatory framework to deal with neglect and absenteeism but this needed to be enforced more rigorously by the Crofters Commission.
- A common suggestion was that absentee crofters should be encouraged to sub-let their croft for a set period of time.

CHAPTER 10: VIEWS ON AMALGAMATION, MULTIPLE CROFTHOLDINGS AND/OR THE SUBDIVISION OF CROFTS

The consultation asked:

Should amalgamation, multiple croftholdings and/or the subdivision of crofts be encouraged? Should there be any limits on these? Do you think this should happen to crofts in your area and why?

In total, 246 respondents (87%) addressed this topic. Many of these provided broad comments of relevance. A recurring theme was that decisions on amalgamation, multiple croftholdings and subdivision of crofts should be made locally, according to local demands for crofts, and the local pattern of tenure, and perhaps on a case by case basis. It was argued that as local circumstances vary, a broad brush approach with standardised regulations and limits would not be appropriate (RB). The idea of a local area plan containing a strategy for changes to croft structures was raised (Cr). This could take into account longer-term development needs, and demographics of the township (Cr).

Some respondents recommended that the local community should be involved in decisions on proposed changes to crofts (RB, PB, Asp, Cr). Others called for the Crofters Commission to advise on the viability of any changes (NGO), or area assessors working under the guidance of Grazings Committees to have their say (Cr).

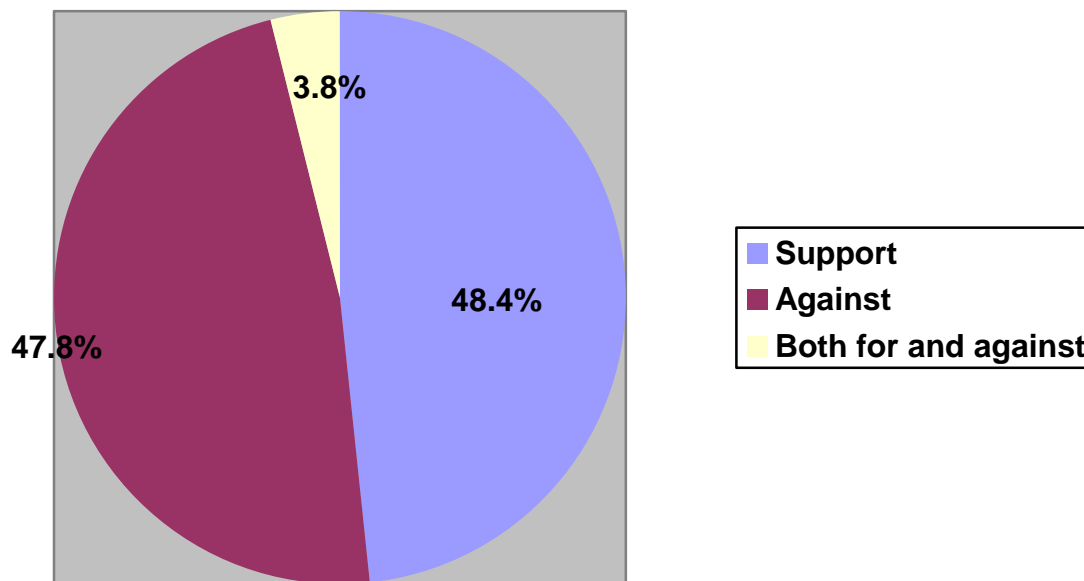
Several consultees emphasised their view that so long as good use was made of the croft-land then changes should be acceptable. One comment was that amalgamating and subdividing was carried out informally and formally already (NGO). A few respondents described how the trend had changed from amalgamations in previous decades to a move towards more subdivision of crofts to meet current needs (Cr, Cr, Cr). One recommendation was for research into the effect of different approaches to croft structure (Cr).

A word of caution was sounded by one representative body which warned that amalgamation and subdivision do not necessarily lead to better crofting. Another respondent advised that whatever changes were made, these would need to balance the rights of the individual with those of the community and the wider public (LA).

10.1 VIEWS ON AMALGAMATION OF CROFTS

Overall, 157 respondents provided a clear view on whether or not they supported the amalgamation of crofts. Their responses are summarised in Figure 3 overleaf. There was almost an even balance between those supporting and those against amalgamation of crofts.

Figure 3: Summary of Views on Amalgamation



Support for Amalgamation

Crofters were over-represented amongst those who considered that amalgamation was worth supporting. However, some of these argued that amalgamation should take place only where there was little local demand for crofts (Cr, Cr, CG), where the community would benefit (Cr), and if neighbouring crofters agreed to it (Est).

A recurring comment was that amalgamation of crofts could increase overall viability of the land. One respondent remarked:

“As with any business, the only answer is amalgamation so that crofts can become bigger and bigger in the search for viability – yet crofting legislation generally requires crofts to remain small” (RB)

Amalgamation was seen as a way of making the best of poor land (Cr) and ensuring its occupancy (NCr).

Drawbacks of Amalgamation

Three main reasons were provided by respondents arguing against amalgamation of crofts:

- Reduces opportunities for aspiring crofters to obtain crofts
- Contributes to population reduction
- Can lead to too much control by one family/crofter

Others argued that amalgamation was the road to self-destruction for crofting and would lead to a dramatic reduction in the number of crofts (Cr, Cr, Cr, NGO). Two organisations considered that amalgamation achieved no real purpose (NGO, LA). It was thought that this could lead to resentment amongst the local community (Cr) who would find it hard to re-split the amalgamated croft in the future (Cr, RB). One consultee described how amalgamation had in the past paved the way for holiday homes (Cr).

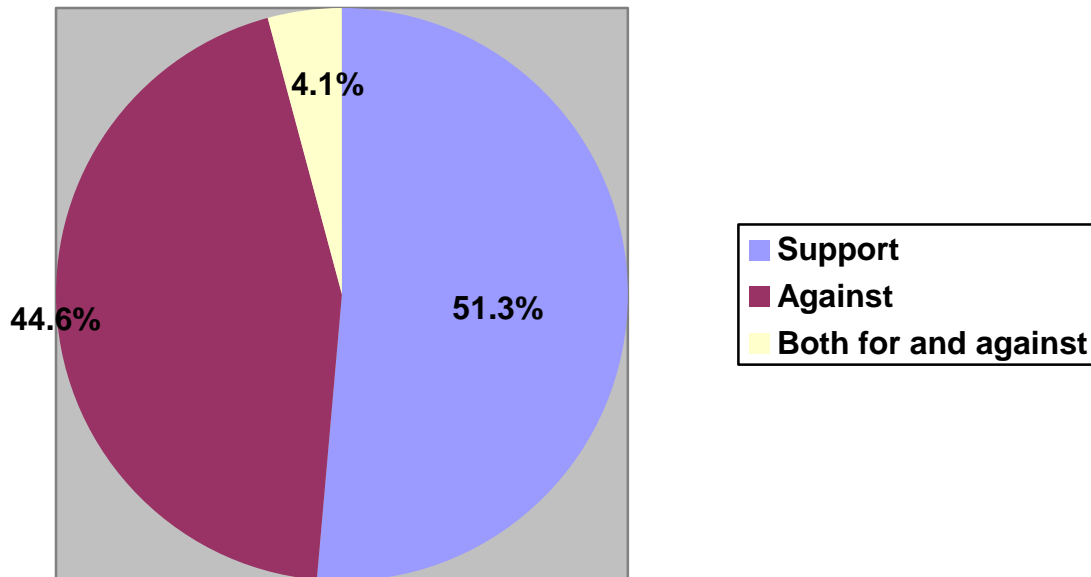
Local Experience

Two crofters outlined their local experience of amalgamation. Both had witnessed many amalgamations in their township with one stating their view that this was essential as the previous crofts had been small. However, the other remarked that amalgamation had appeared to go hand-in-hand with a gradual reduction in population in their area.

10.2 VIEWS ON MULTIPLE CROFTHOLDINGS

Overall, 121 respondents provided a clear view on whether or not they supported multiple croftings. Their responses are summarised in Figure 4. The balance of views was slightly in favour of multiple croftings.

Figure 4: Summary of Views on Multiple Croftings



Support for Multiple Croftings

Support for multiple croftings came from across the spectrum of respondent categories with no one group over-represented. However, again, many supporters qualified their view by stating that local demand for crofts should be satisfied before multiple croftings can be considered (Cr, Cr, Cr, Cr, Cr, NGO, NGO). Others

expressed their support on the condition that the change improves economic viability (CC, NGO) and the land is used for agriculture (Cr), with regular audits to ensure the land is being worked (Cr).

A common theme was that multiple croftholding would increase the viability of the land and ensure a better standard of living for the crofter. An advantage was seen to be the ease with which the multiple croftholding could subsequently be dismantled into individual crofts (Cr). Two crofters welcomed multiple croftholding as a way of ensuring the land is occupied (NCr, NCr).

Drawbacks of Multiple Croftholdings

The 3 most commonly cited drawbacks were similar to those raised in relation to amalgamations:

- Reduces opportunities for young people to obtain crofts
- Contributes to population reduction
- Can lead to too much control by one family/crofter

Others complained that, in essence, multiple croftholdings constituted farming (Cr, Cr) with a risk of neglect (Cr) and multiple absenteeism (Cr). This form of crofting was seen as putting the community as a disadvantage (Cr) and reducing the diversity of the community mix (NGO). One comment was that multiple croftholding raised the risk of speculation (Cr).

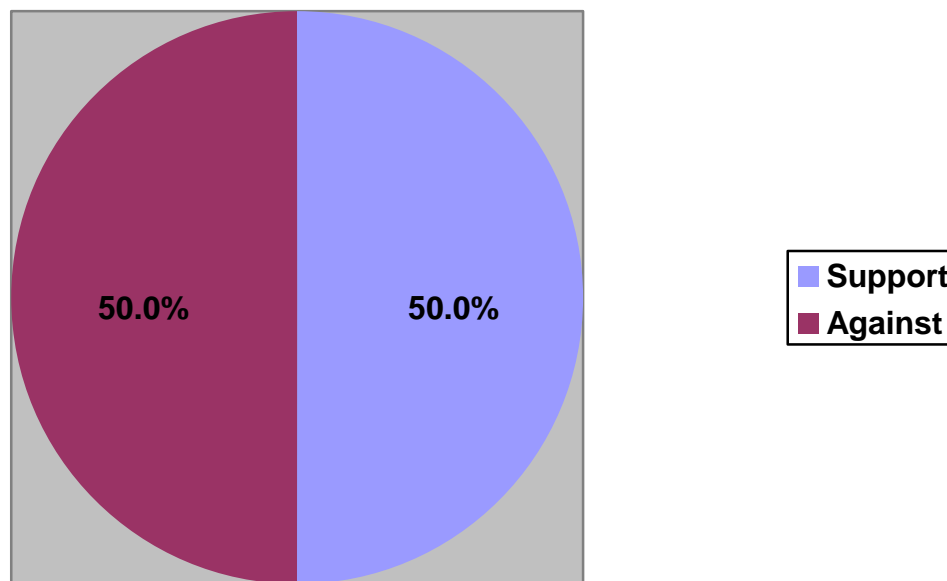
Local Experience

Two consultees reported that in their area, where multiple crofts were held these had not been greatly used (ASP, CG). Where crofts were small, there appeared to be more experience of local multiple croftholding with North Harris being one example cited (NGO).

10.3 VIEWS ON THE SUBDIVISION OF CROFTS

Overall, 148 respondents provided a clear view on whether or not they supported multiple croftholdings. Their responses are summarised in Figure 5 overleaf. There was an even split between those in favour of and those against the subdivision of crofts.

Figure 5: Summary of Views on Sub-Division of Crofts



Support for Subdivision of Crofts

Support for subdivision of crofts came largely from crofters, aspiring crofters and NGOs. Some supporters however, stipulated that they might be wary of subdivision if this took place outside of the family context. Indeed, the most common reasons given for condoning subdivision of crofts were to help families share out land, get younger generations involved in crofting, carry on their inheritance and pass on further crofting land rights within families. Subdivision of crofts was seen as a way of retaining the younger population and creating opportunities.

Sub-dividing crofts was also viewed as in-keeping with the modernisation of crofting by enabling smaller-scale horticulture and other diversification to develop (Cr, Cr, Cr). Other advantages were seen as helping to get land used productively (Cr), and fitting in with tourist-related developments such as manufacturing of tweed (DK). Five respondents argued that sub-dividing crofts could contribute to satisfying the need for housing (LA, CC, Cr, Cr, Cr).

Drawbacks of Subdivision of Crofts

Interestingly, one of the key drawbacks of subdivision of crofts raised largely by crofters was that this promoted house building, and played into the hands of property speculators. Sub-dividing was seen as a way of obtaining house grants and could lead to on-selling, taking crofts out of crofting use altogether.

Another common argument was that the creation of smaller crofts could lead to lack of viability of land, and could result in a series of houses with large gardens (RB). One crofter commented that smaller crofts were more likely to end up neglected, with another respondent (Est) remarking that sub-divided crofts were a burden to the taxpayer.

Local Experience

A common experience was that the crofts in local townships were so small already as to make subdivision unviable. Others, however, reported good experience where subdivision had led to meeting local demand for crofts. One crofter described how the small crofts in their township were not worked and should be offered to younger crofters.

10.4 SHOULD THERE BE ANY LIMITS ON AMALGAMATION, MULTIPLE CROFTHOLDINGS AND/OR THE SUBDIVISION OF CROFTS?

It was not possible to quantify precisely the numbers of respondents in favour or against limits on such changes to croft structure and organisation. Many consultees simply passed comment without making clear which change they were referring to, or remarked generally on the principles applying to all. Overall, 6 respondents stated clearly that they thought that limits should not apply (Cr, Cr, Cr, Cr, ASP, NCr). One reason given was that it was not possible to have one principle on limits which would apply generally across different areas (ASP). However, amongst the respondents who expressed general support for the notion of limits, some argued for limits which could be tailored to fit local conditions (PB, Cr), or could be customised on a case by case basis (Cr).

Limits Related to Amalgamations

Some respondents called for limits in relation to amalgamations (without being specific about what these should be) (Cr, Cr, NGO, ASP). One view was that limits were required in order to stop crofts becoming farms (Cr). Again, it was urged that any limits imposed should have the flexibility for local tailoring (RB). One idea was for a limit on the number of crofts which one family could amass (Cr). For one crofter, a suitable limit would be the amalgamation of no more than 2 crofts. Another considered 3 – 4 croft amalgamations to be acceptable. One crofter called for a limit of 30 acres, with another stipulating a maximum of 40 – 50 acres. Another form of limit was proposed by a crofter who recommended that amalgamations should be for a set period only, before review.

Limits Related to Multiple Croft Holdings

General support was shown for imposing limits in relation to multiple croft holdings (Cr, Cr, Cr, Cr, Cr, NGO, CG). A limit of 2 – 3 crofts per family was suggested (Cr, Cr, Cr), or no more than 3 crofts per person (Cr), or 30 acres in land (Cr). Again, a time limited period of multiple croft holding was recommended (CG).

Limits Related to Subdivision of Crofts

Several respondents gave broad support to the notion of limits on sub-dividing crofts (Cr, Cr, Cr, LA, NCr, NGO, NGO). It was suggested that a limit of one sub-divide per original holding could be appropriate (Cr). Another form of limit was suggested as minimum size of croft: not below 1 – 2 acres (NGO), not below 3 acres (Cr), and not below 5 acres (Cr, RB).

SUMMARY OF KEY POINTS

- A recurring theme was that decisions on amalgamation, multiple croft holdings and subdivision of crofts should be made locally, according to local demands for crofts, and the local pattern of tenure.
- There was almost an even balance between those supporting and those against amalgamation of crofts.
- The balance of views was slightly in favour of multiple croft holdings.
- It was thought that amalgamation and multiple croft holdings could both improve the viability of the land, but could also reduce opportunities for people to obtain crofts and contribute to overall population reduction.
- There was an even split between those in favour of and those against the subdivision of crofts.
- Subdivision of crofts was seen as a way in which families could share out land, get younger generations involved in crofting, carry on their inheritance and pass on further crofting land rights within families.
- Some respondents cautioned that subdivision might lead the way to house building, or result in unviable, small plots of land.
- Many consultees suggested limits on amalgamation, multiple croft holdings and subdivision of crofts, although it was felt by some that these should be tailored to fit local conditions.

CHAPTER 11: VIEWS ON ISSUES OF HOUSING AND HOUSING GRANTS IN CROFTING COUNTIES

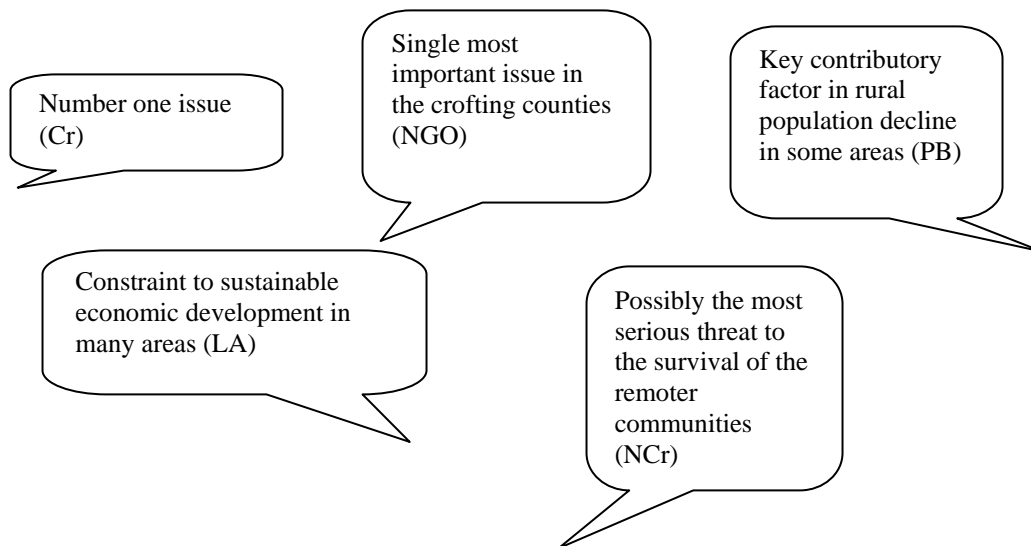
The consultation asked:

How serious are problems of access to affordable housing in the crofting counties? What are the impacts on the demand for crofts and croft land (whether inbye or common grazings)? How helpful are croft house grants, rural home ownership grants, housing association lettings, etc.? What do you think should be done? Please also tell us how what you say applies to your local area.

Overall, 223 respondents (79%) addressed all or aspects of this topic.

11.1 HOW SERIOUS ARE PROBLEMS OF ACCESS TO AFFORDABLE HOUSING IN THE CROFTING COUNTIES? WHAT ARE THE IMPACTS ON THE DEMAND FOR CROFTS AND CROFT LAND?

The overarching view was that problems of access to affordable housing in the crofting counties were serious. Examples of comments are below.



A recurring view was that whilst crofting areas experienced the impact of lack of affordable housing acutely due to higher demand for holiday housing and low local incomes, problems of access to affordable housing was actually a wider, national problem in both rural and urban areas. One crofter commented, “*anywhere pretty has expensive housing*”.

A few respondents expressed their view that whilst crofting counties experienced this problem it was not a crofting issue *per se* (Cr, Cr, Cr, Cr, NCr, Est, ASP). Some suggested that crofting had become the focus of attention due to crofters holding land on which housing could be built. One comment was:

“Suddenly crofters are seen as holding huge land banks and therefore the housing crisis can be solved!” (Cr)

It was argued that agencies existed to deal with this problem (NCr), which should not be “*dumped on crofters*” (Cr). One crofter remarked that crofting should not be made a scapegoat for the affordable housing shortage (Cr). A few crofters argued that increasing the level of affordable housing in crofting counties could actually diminish the availability of fertile land for crofting (Cr, Cr, Cr, Cr, NCr). A recurring view was that affordable housing without the availability of employment would also create problems.

Various reasons were put forward by respondents for the current state of affairs. The main contention particularly for respondents from Skye and Tiree was that people from outside crofting areas were able to purchase crofts at inflated prices, which were often then turned into second/holiday homes. This resulted in an increased local demand for housing, but the lack of non-crofting land available for housing had placed pressure on using croft land for house building. One example was given of Drumbeg where 38% of housing stock was now holiday/second homes (LA).

Some respondents identified the right to buy policy (Cr, Cr, ASP), or previous council house stock sales (Cr), as contributing to the current lack of affordable housing. One view was that landowners did not want to build as their tenants could then buy the house under the right to buy at a fraction of its market value (Cr).

Many consultees described how young people in particular were finding it impossible to get onto the property ladder in crofting counties. It was remarked that would-be local buyers could not compete against incomers for housing unless they had inherited or been given a property (Cr). One comment was that the current problem weakens the ability of crofting to retain rural populations (NGO) with crofts now regarded as a commodity based on their value as house sites (Cr, Cr).

One local authority described a considerable increase in people presenting as homeless in the Highlands. Another highlighted the experience in parts of Skye and the west mainland where over 50% of house sales are to buyers from the rest of the UK.

11.2 HOW HELPFUL ARE CROFT HOUSE GRANTS, RURAL HOME OWNERSHIP GRANTS, HOUSING ASSOCIATION LETTINGS, ETC.?

The vast majority view was that grants were useful, but their value needed to be reviewed regularly in order for them to continue to provide necessary assistance without leaving people with large shortfalls. Several respondents described these grants as having been

of significant help, particularly for young people and others on low income. One consultee described the croft house grant as having done more than any other scheme for retaining populations (CG). However, it was considered that their lack of indexation had resulted in, for example, crofts having to be de-crofted in order for the resident to obtain a mortgage to make up the shortfall in funds, or people on low incomes no longer able to benefit from them.

In general, the croft house grant was viewed more favourably than the rural home ownership grant which was seen as not widely used (LA), only useful if the land is reasonably priced (Cr), with limited use in limited areas (Cr) and sometime associated with confusion over eligibility (NGO). Several consultees called for the resurrection of the loan element of the house grant (Cr, Cr, Cr, Cr, RB, NGO, DK).

Some respondents expressed concern at what they perceived to be abuse of croft house grants by speculators who take the grant but then do not participate in crofting (Cr, Cr, Cr CG).

A few consultees reported difficulties in accessing grants, with various individual stories provided. A call was made for eligibility criteria to be made clearer (Cr) or more flexible (Cr). One NGO described how Gigha had been designated as a low priority for the Crofter Housing Grant Scheme – a decision which was being appealed.

A minority of respondents considered that the impact of grants had been minimal. They were seen as of little help (Cr), curtailed in benefit by the lack of affordable land to build on (Cr), not of high enough value to make a difference (NGO), just tinkering around the edge of the problem (Cr), and attracting little interest (LA). The latter respondent described the situation in Orkney whereby no applications for croft house grants had been received within the last 5 years.

Housing Association lettings received little attention in responses. The one recurring issue was that the letting policy appeared to several consultees to favour incomers over indigenous applicants and needed to be reviewed.

11.3 WHAT DO YOU THINK SHOULD BE DONE?

The most common recommendations emerging from responses were:

- Revise the value of the grants and increase them in line with inflation
- Encourage the identification of suitable land for housing (not on fertile croft land)
- Stem the practice of speculative sales of crofts to the highest bidder

Calls were also made for the grant system to be simplified (Cr, NGO) and details publicised (NGO). One respondent requested that means testing for grants be more rigorously implemented (Cr), whilst another asked for croft grants to be made available to owner occupiers as well as tenants (Cr). Some consultees recommended a re-

examination of the defunct CBGLS (Crofters Building Grants and Loan Scheme) (Cr, RB). The need for better access to grants was summed up by one crofter:

“It is my belief that the crofting grant and loan scheme was the cheapest form of social housing and that access to it through new crofts and crofting townships should be available to all those committed to crofting”

Many respondents suggested that Common Grazings Committees, in conjunction with local people and other relevant agencies, be involved in identifying suitable land for future housing. It was considered that joined-up thinking between key agencies such as planning departments, local enterprise companies and Grazings Committees would help in this endeavour (Cr, PB, LA).

One consultee argued for greater support for the National Forest Land Scheme as a resource for woodland crofts (NGO). A recurring theme was that Common Grazings land should be considered for housing if local people agree on this (Cr, Cr, Cr, LA). Some respondents called for targeting of those with suitable land (ASP) and making better use of derelict croft houses and buildings (Cr).

Calls were made for an end to speculative sales (Cr, Cr, Cr, PB) and a ban on sales of crofts for second/holiday homes (Cr, Cr, Cr). Where such sales take place, a punitive tax on the owner was recommended (Cr, Cr, RB). One suggestion was that following any sale after decrofting, a proportion of the receipts should go to future township development (NCr).

Other recommendations for improvements included:

- Prioritising locals in affordable housing allocations (Cr, Cr, DK, NCr)
- Tackling absenteeism (NCr, NGO)
- Not allowing multiple holdings (Cr, Cr)
- Freeing up common grazing land from restrictive planning controls (RB, Cr, Cr)
- Removing the right to buy (Cr, Cr)
- Better assessment of new assignments (Cr, Cr, NCr)
- Designating more crofts (PB)
- Providing more social housing (Cr)
- Instigating conditions on receipt of house grant eg that crofting has to be practised (Cr); that the croft house must not be sold within a specified period (Cr, Cr, Cr, Org - DK); that the land acreage should be sufficient that crofting can be practised (NCr)
- Use of lottery funds to help locals buy a house, perhaps through a housing association (RB)
- RSLs (Registered Social Landlord) and others to build starter-croft homes and/or shared ownership (NGO)

- Crofters to take a more proactive role in engaging with planners over suitable land (LA)
- Ensure incentives and assistance is available to help employers in the area (Cr)
- Develop better finance deals for crofters, perhaps through a crofter credit union (RB) or crofters bank with competitive rates (ASP)
- Instigate tighter control over de-crofting (CG), with the Crofters Commission being a statutory consultee on every application where a croft is involved (NCr)

11.4 PLEASE ALSO TELL US HOW WHAT YOU SAY APPLIES TO YOUR LOCAL AREA

The most common response was to highlight that problems of affordable housing exist in many local areas, with frequent mentions made of Tiree, Arran and Skye. Several respondents stressed that the demand was originating from outsiders rather than local people. Some consultees emphasised that this demand was for housing rather than crofts (NGO, Cr).

Fewer responses were from those who reported no particular problems with affordable housing in their areas. In some instances, recent affordable housing developments were mentioned, such as in Scourie and Gigha.

There were some reports of joined-up working to identify suitable sites for affordable housing, for example, the North Harris Trust working with the Common Grazings Committee (NGO). One crofter described the process of identifying potential housing land in their locality, but this not fitting with the council local plan for the area. Another told of the common grazings land being in demand for housing (Est). According to one crofter, the best croft land in their township had been earmarked in their local plan for housing.

Some respondents outlined their experience of the grants system. One could not access a grant on account of being an owner occupier (Cr). Another stated that grants were poor value as costs of building were so high in comparison (Cr). One view was that grants had been used to build “*ridiculous houses*” with inappropriately large gardens which were then sold to the highest bidder for housing (Cr). One crofter on Skye stated that grants were very important there.

An example of a Housing Association shared ownership development was cited as Orkney Housing Association (LA). Several respondents condemned their local Housing Association’s policy not to prioritise local people but to operate a generic points system (Cr, Cr, Cr, NCr, CG). The Housing Association on Arran was apparently swamped with demand (NCr).

SUMMARY OF KEY POINTS

- The overarching view was that problems of access to affordable housing in the crofting counties were serious.
- It was commonly thought that whilst crofting areas experienced the impact of lack of affordable housing acutely, problems of affordable housing was a wider, national problem in both rural and urban areas.
- Many respondents considered that current problems stemmed from incomers purchasing crofts at inflated prices, the right to buy policy, and previous council house stock sales.
- The majority view was that grants were useful, but their value needed to be reviewed regularly in order for them to continue to provide necessary assistance.
- Recommendations to tackle the problem of shortage of affordable housing fell largely into 3 categories: revise the value of housing grants and increase them in line with inflation; encourage the identification of suitable land for housing; and stem the practice of speculative sales of crofts to the highest bidder.
- Calls were made for the housing grant system to be simplified and better publicised.

CHAPTER 12: VIEWS ON CROFT SALES

The consultation asked:

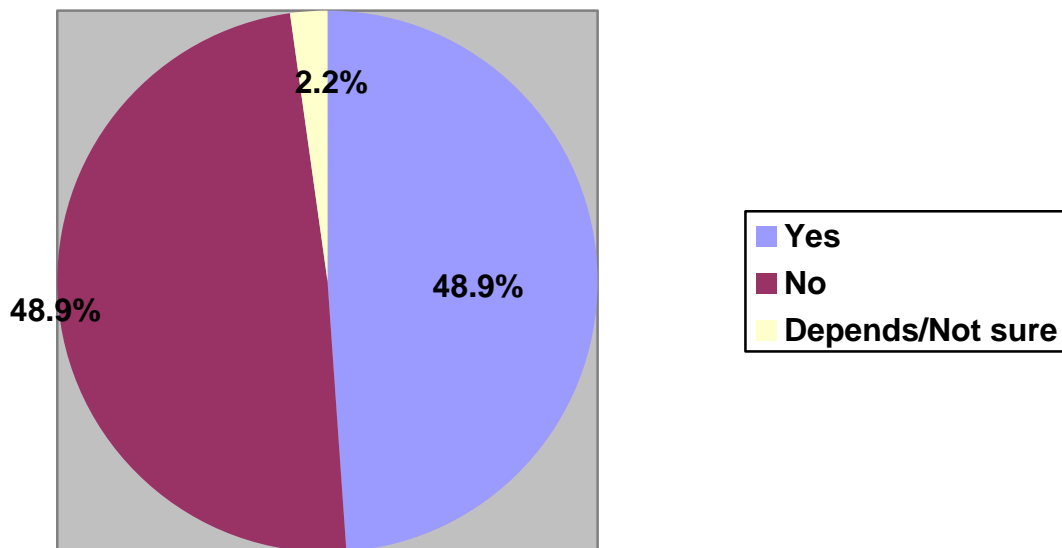
Should crofters be allowed to sell their crofts, or croft land, to the highest bidder? Do you think croft assignments and sales should be regulated, and if so, how? Please tell us how what you say applies to your local area?

Altogether, 253 respondents (90%) addressed the topic of croft sales.

12.1 SHOULD CROFTERS BE ALLOWED TO SELL THEIR CROFTS, OR CROFT LAND, TO THE HIGHEST BIDDER?

It was difficult to quantify the views of respondents according to those who supported and those who were against selling crofts or croft land to the highest bidder. Although some indicated clearly their preference, others commented on the impact of selling to the highest bidder without making it clear whether they agreed with it or not. Others appeared to acknowledge that it would be impossible to stop such practice and limited themselves to describing aspects of a regulatory framework within which this could operate. Some supported this practice but only if certain circumstances prevailed. The following breakdown (Figure 6) in the views of the 182 respondents who presented them clearly should be seen against this background.

Figure 6: Views on Whether Crofters Should be Allowed to Sell Crofts



Exactly the same numbers of respondents agreed with selling crofts or croft land to the highest bidder as were against this practice. In terms of the profile of each group of respondents, there were roughly the same numbers of crofters in each faction, but a

greater representation of Estates, and Common Grazings Committees amongst those against selling to the highest bidder. There was no discernible difference between the views of respondents from different geographical areas on this issue.

Arguments in Favour of Selling to the Highest Bidder

A common response was that a free market operated and selling to the highest bidder was part of this. Some respondents expressed their view that it seemed to them to be inappropriate that crofts were sold in this way but nothing could prevent this occurring. One comment was:

“It appears that these activities are permissible by law so commenting seems futile” (Org-DK)

One comment was that a croft bought on the open market should be sold on the open market (Cr). Some thought that the right to sell came with the right to buy (RB, DK).

Others argued that a croft should be seen as an asset, a small business, which could be sold just as any other asset or small business (Cr, NCr). It was considered that stopping the right to sell to the highest bidder now would be unfair on those who had seen others do this before them (Cr, Cr, Cr) and who had worked all their lives on their croft and now wanted to profit in retirement (Cr, Cr, Cr, Cr, Cr, NGO).

Selling to the highest bidder was seen as way to bring in new people (Cr, Cr, CC), and promote the use of crofts (CC). According to one crofter, it gave people an incentive to invest in their croft. To others it was part of heritable property which could be disposed of as a family wished (CC, Cr).

Being open about this practice prevented it going underground and encouraging dishonesty and corruption according to a few respondents (Cr, Cr), and prevented land being sub-divided into building plots (Cr). It was the logical route for one crofter:

“Selling at market price is the only fair and logical way”

Arguments Against Selling to the Highest Bidder

A common response was that this practice paved the way to the demise of crofting by taking working crofts out of crofting. Another recurring view was that this would contribute to putting crofts out of the reach of young people.

For many, crofts were seen as community property rather than owned by individuals, and their arguments were based on the damage which selling to the highest bidder did to the community. It was seen as creating divisions (ASP, Cr, Cr) and doing nothing for the community (CG, Cr, Cr). Comments included:

“This seems to ruin sustainable communities and creates division in the community” (Cr)

“Playgrounds for the wealthy does nothing for community spirit” (Cr)

“We don’t think that it is morally right for a single outgoing crofter to profit at the expense of the crofting community and future generations” (CG)

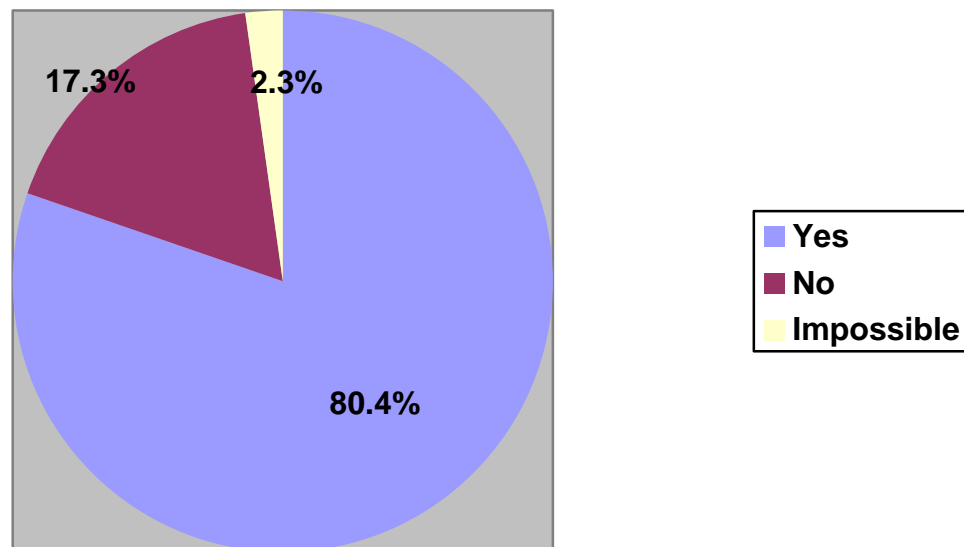
It was argued that the sellers may have acquired their croft using substantial financial help from the public purse, therefore to be able to profit from its sale appeared inappropriate (NGO, PB, Cr, NCr).

One crofter thought that such selling constituted an abuse of the crofting system. Others argued that it encouraged more second homes in crofting areas (NCr), or led to land being covered with housing (Cr). It appeared like *“selling the family silver”* to one respondent (Cr).

12.2 DO YOU THINK CROFT ASSIGNATIONS AND SALES SHOULD BE REGULATED AND, IF SO, HOW?

In total, 173 respondents appeared to indicate whether or not they supported regulating crofts assignments and sales. Their views are summarised in Figure 7 below.

Figure 7: Views on Whether Assignations and Sales Should be Regulated



Although the figures should be treated with caution as many views had to be deduced from the general commentary within responses, it is clear that an overwhelming majority of those who commented were in favour of regulation of assignments and sales.

Ways to Regulate

A wide range of different types of regulation were recommended. The most commonly cited ones are listed below:

- Sale assignments to be vetted in some way by the Crofters Commission or local Grazings Committees or local people
- Only those who will work the croft (for a set number of years) to be allowed to buy
- The price to be paid to be capped and/or independently set by a district valuer
- The clawback arrangement to be reviewed and perhaps increased from 5 years to 10 years
- No sales allowed to absentee buyers
- Local people to be given first refusal on sales
- No re-sale to be allowed pending a set number of years
- Buyers to produce a 5 year crofting plan which should be monitored

Other suggestions for regulations which were proposed by one or just a few respondents included:

- Sales to be allowed only to family members
- Disband the right to buy arrangement
- Ensure that a percentage of the sale price goes back to the community
- Those receiving house grants should not be allowed to sell for 20 years
- Buyers to be placed on crofting “probation”
- Change in use of land from crofting not to be allowed
- Ban on advertising of crofts for sale

Views of those Against Regulation

The primary argument against regulation was that necessary regulations were already in place with powers vested in the Crofters Commission, Scottish Executive Environment and Rural Affairs Department and Grazings Committees, but these need greater enforcement.

One view was that as regulation was not an easy process, money would be better spent on assisting new entrants into crofting (Cr). Another theme was that by making tenancies appear more valued, crofters would be less willing to purchase their croft in the first place (LA, RB), for example grants could be targeted at tenants (LA), or a croft tenancy could be permitted to be used as security against which funds could be borrowed (RB). One suggestion was to raise rents and therefore make buying a croft more costly (Cr). Another was to remove house grants and vet applications to build second homes more thoroughly (Cr).

Finally, one individual commented that there seemed little point in creating regulations if the free market controlled entry to crofting (NCr).

Other Views

A few respondents presented views from the perspective of considering crofts as community-owned assets. One view was that all crofts should revert to tenancies (NCr). Another was that crofting trusts should buy out and manage crofts (perhaps with lottery funding) (CC), or that crofts should be treated as council houses and handed back when the occupants no longer needed them (Cr). One view was that if there was no local demand for a croft it should be bought by a local Housing Association at market value for affordable housing (Cr).

12.3 PLEASE TELL US HOW WHAT YOU SAY APPLIES TO YOUR LOCAL AREA

Relatively few respondents related their views specifically to local experience. There were a few reports of previous crofts being turned into housing sites following selling. For example, one crofter described how his neighbour's croft was sold on the open market and now sported 6 new houses. Another was angry that a croft in his township was sold to a stranger and now resembled a tip with no house, no fence and no realisation of a business plan. A particular concern in one instance was that the local opposition to a particular assignation had been overruled by the Crofters Commission, but rather than this resulting in an active agricultural enterprise, housing plots were sold and houses built on the croft (Cr).

A recurring complaint was that local people had not been informed of sales before the deed was done. One crofter referred to locals being "*passed over*" in croft sales. Another reported that the same few wealthy people always appeared to be given the first option on sales in their area with "*croft collecting*" rife (Cr). Another crofter described their township as comprising more non-crofters than crofters.

One respondent (NCr) made a suggestion based on practice in their wider council area. They commented that people in North Ayrshire who wish to convert a business to a house must prove to the council that there is no need for the business and no one prepared to take it on. The respondent recommended that this procedure be implemented in the context of crofting.

Experiences of crofts selling for high prices were reported, with one crofter describing how their children could not get into crofting because of this, and another complaining that most sales seem to go to "*English folk*". In contrast, one council reported that sales had traditionally gone to the highest bidder on Orkney, the population had remained relatively stable, and in their view this practice had produced no negative effects on the landscape. (Although one crofter from Orkney complained about the loss of crofts in this area over the last 30 years.)

Finally, a minority of the crofters who commented appeared to be content with the situation in their respective areas. They reported crofts passing between hands within families, none or very few being sold on the open market, or problems associated with selling to the highest bidder not affecting them.

SUMMARY OF KEY POINTS

- Of those who provided a clear view, exactly the same number of respondents agreed with selling crofts or croft land to the highest bidder as were against this practice.
- A common response was that crofters operated in a free market and selling to the highest bidder was part of this.
- A common concern was that selling to the highest bidder paved the way to the demise of crofting by taking working crofts out of crofting, and putting crofts out of the financial reach of young people.
- An overwhelming majority of those who commented were in favour of regulation of assignments and sales.

CHAPTER 13: VIEWS ON LAND REFORM AND COMMUNITY OWNERSHIP IN PARTICULAR

The consultation asked:

How do you think land reform, and the Community Ownership of crofting estates in particular, will affect crofting in the future? Does Community Ownership alter the need for regulation of crofting in any ways? Do crofters need protection from community landlords, as they did from private landlords? Should crofting tenants of community landlords retain the right to buy? Please also tell us how what you say applies to your local area.

13.1 HOW DO YOU THINK LAND REFORM, AND THE COMMUNITY OWNERSHIP OF CROFTING ESTATES IN PARTICULAR, WILL AFFECT CROFTING IN THE FUTURE?

In total, 168 respondents (60%) addressed this question.

Views on Land Reform in General

Very few respondents appeared to address their comments to land reform in general (most referred specifically to Community Ownership). A few stated simply that they supported the reforms (Cr, Cr) with others considering that the changes were still too new to demonstrate an impact (Cr, LA). One view was that land reform was well overdue (NCr) with another respondent perceiving reform to be “*work in progress*” with some issues still to be addressed (RB). Whilst one consultee considered land reform to have had no real effect (Cr), others perceived the right to roam to have had an adverse effect (Cr), and reform to have led to a decline in active use of croft land (Cr).

One organisation (NGO) described their view that land reform had led to more diversity of ownership and more opportunities for locals. Another view (NCr) was that land reform should be more aggressive and needed further development.

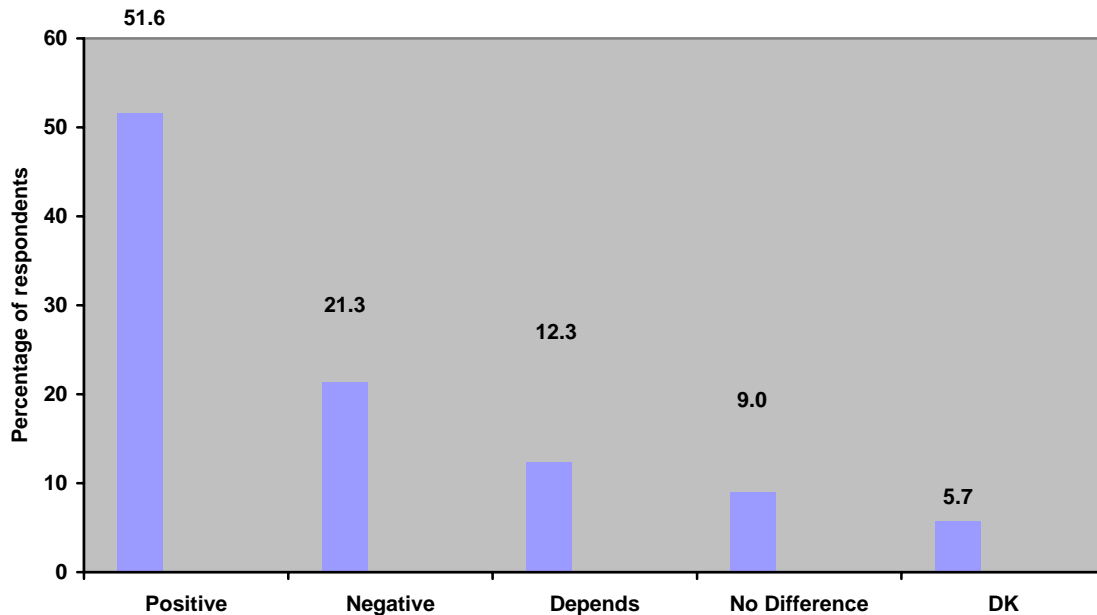
Views on Community Ownership

Overall, 122 respondents provided a clear view on the impact of Community Ownership in crofting communities. Their views can be categorised as in Figure 8 below.

The majority view (51.6%) amongst those who provided a clear view was that Community Ownership was advantageous. However, a sizeable minority of around one in five respondents did not consider Community Ownership to be the best way to proceed. Around 12 per cent of those who commented saw both benefits and drawbacks of Community Ownership depending on specific circumstances. Around one in ten consultees thought that Community Ownership would make no difference to crofting, with the remaining 5.7% of those who responded stating that it was too early to tell if the

impact of Community Ownership would be good or bad. Respondents from Skye and the Western Isles and Orkney and Shetland were slightly over-represented amongst those in favour of Community Ownership.

Figure 8: Views on the Impact of Community Ownership



Those supporting Community Ownership comprised a mix of crofters and other individuals, and many different organisations including Grazings Committees. Those against Community Ownership were almost entirely crofters and landlords.

The **merits** of community ownership identified by respondents included:

- Allows land to become available for crofting
- Creates opportunities for local investment and development including job creation
- Acts for the community rather than individuals
- Better than an absentee/poor landlord
- Encourages crofters to invest in their land
- Improves viability of crofting
- Promotes enthusiasm and morale
- Empowers communities to engage in planning/legislative processes
- Opens up new funding sources eg lottery monies
- Underpins the concept of community
- Less tolerant of absenteeism
- More accountable
- Results in better decisions
- Helps to diversify use of the land

The **drawbacks** of Community Ownership identified by respondents included:

- Uses a lot of public funding
- Can create divisions and strife in local communities
- Can end up with non-crofters making decisions on crofting
- Provides a back-door route into crofting for bodies wanting to profit
- Highland communities contain too many differences of opinion and agendas to allow this to work
- Follows communist principles which have failed before
- Difficult to manage by committee
- Volunteer fatigue may mean a lack of committee members down the line
- Difficult to marry the interests of communities and individuals
- Depends too much on goodwill
- Too many crofters will want concessions/favours

Of those who saw both merits and drawbacks of Community Ownership depending on the circumstances, some argued that success depended in part on the precise make-up of the board and the leader at the time (DK, NCr). Others remarked that like any other landlord, there would be strengths and weaknesses in its operation (NCr, NCr, Cr, Cr, ASP). One view was that community ownership was a “*double-edged sword*” in that crofters would be dealt with by a committee known to them rather than an individual who may be more neutral in their decisions (Cr).

A few of those who saw Community Ownership making no difference argued that regulations impact more on crofting than type of landlord (RB, RB).

13.2 DOES COMMUNITY OWNERSHIP ALTER THE NEED FOR REGULATION OF CROFTING IN ANY WAYS?

Sixty-one respondents (21.6%) appeared to provide a view on the need to alter the regulation of crofting because of Community Ownership. Almost all stated that there was no need to change the regulations. One considered that this could be reviewed over the longer-term (Cr), with a few calling for tighter/strong regulations to be in place (Cr, Cr, NCr).

13.3 DO CROFTERS NEED PROTECTION FROM COMMUNITY LANDLORDS, AS THEY DID FROM PRIVATE LANDLORDS?

Overall 108 respondents (38%) addressed this issue with 103 providing a clear view on whether crofters need protection from community landlords and the remaining 5 consultees providing relevant commentary only.

The vast majority (92%) of respondents who provided a clear view were in favour of crofters receiving protection from community landlords as they had from private landlords. The remaining respondents were evenly split between those who thought that crofters would need *even more* protection under a Community Ownership regime (4%) and those who thought crofters would need *less or no protection* from community landlords (4%).

Views on why Protection from Community Landlords is Required

A few respondents expanded on their view. Several stated that issues of crofters' rights and protection would be the same irrespective of who the landlord was. One consultee stressed that crofters might end up the minority group on a Community Ownership board and it was therefore important to protect their rights (Cr). Another view was that many crofters would not have the knowledge to run estates effectively and therefore protection might be important (Cr). A few respondents (Cr, Cr) were concerned that the board might include difficult characters from whom protection would be imperative:

“Just because something is able to publicly claim it is a community endeavour doesn't prevent it from being prey to the quirks, attitudes and selfishness of individuals” (Cr)

Some respondents recommended that *more* protection be put in place as they could foresee future disagreements over land use (Cr) and between crofters and non-crofters (Cr) under Community Ownership. One view was that once the novelty of Community Ownership wears off, changes in the membership of the board may lead to the need for more protection for crofters (DK).

Other Views

Only one substantive argument was made against needing protection from community landlords. This respondent argued that protection was not needed as crofters would be represented on the Community Ownership board (NCr).

Two respondents were unhappy about the tabling of the question. In essence, they considered that the topic inferred a slight on the fairness of private landlords. They expressed themselves thus:

“The highly prejudicial and frankly offensive wording of the question displays a quite remarkable lack of understanding of the present position” (Individual landlord)

“.....highly prejudicial and offensive inference” (RB)

Another consultee remarked that sometimes it was the landlord who needed protection from the tenant (Cr).

13.4 SHOULD CROFTING TENANTS OF COMMUNITY LANDLORDS RETAIN THE RIGHT TO BUY?

In total, 123 respondents (44%) addressed this question. It was not clear from responses whether some respondents were addressing the issue of the right to buy concept in general, or whether they were restricting their response to their views on the right to buy within the context of Community Ownership.

Against this background, 113 consultees provided views on whether or not the crofting tenants of community landlords should retain the right to buy. The majority view (74%) was in favour of retention (albeit for some with conditions attached), with around one-quarter of respondents (26%) against retention of the right to buy for these tenants.

Those in favour and those against contained a mix of respondents from different categories, although landlords were represented only amongst those against retaining the right to buy.

Amongst those in favour of retaining the right to buy were those who argued for clauses or conditions to be attached to this right. For example, two consultees called for a longer clawback period (Cr, RB); some recommended that buyers should agree not to use their croft for speculative building (Cr, Cr, CG); another suggested that the right be confined to “*special circumstances*” (Cr).

Arguments in Favour of Retaining the Right to Buy

Very few arguments were set out in responses. It was pointed out that “*rights are rights*” (Cr) and should not be revoked under Community Ownership. One view was that the right to buy enabled “*progressive development*” (Cr), and provided a way for crofters unhappy with Community Ownership to escape from the regime (NCr).

Arguments Against Retaining the Right to Buy

These can be summarised as:

- Need to protect the large sums of public money which has gone into Community Ownership (NCr)
- Puts crofts out of the reach of young people (Cr)
- People will just sell on the croft for development (NCr, NCr)
- Fear of this prevents some landlords letting out their crofts (Cr)
- Has no place in modern Europe (Est)
- Creates divisions within a community (Cr, Cr, Cr)
- Is superfluous under Community Ownership (Cr, Cr)
- Community needs have to be protected under Community Ownership (NGO, NCr)

A few of the respondents who provided commentary only remarked that the right to buy seemed at odds with the principles of Community Ownership (LA, LA, PB). Another commented that if the right to buy was not to be retained, there would need to be a warning period during which the right to buy could be exercised (DK).

13.5 PLEASE ALSO TELL US HOW WHAT YOU SAY APPLIES TO YOUR LOCAL AREA

Around 55 respondents (20%) added a comment about their own area. Most of these reported simply that there was no Community Ownership where they lived (eg on Tiree, Unst, Shetland, Orkney). Some stated that Community Ownership was being considered, but that there were difficulties such as the current level of owner occupation (Cr) or concern that most of the population were non-crofters (Cr).

A recurring theme was that respondents were happy with their respective landlords. Those mentioned specifically included the Scottish Executive Environment and Rural Affairs Department, the National Trust for Scotland, Applecross owners, and a local authority. One respondent described how he had seen his landlord only twice in 37 years.

Some consultees with experience of Community Ownership remarked that this made little difference to their lives with the same issues emerging as faced other crofters. One view was that since the buy-out, the landlord had been willing to listen to crofters' concerns (CG). However, one respondent complained that what they termed "*nosy neighbour syndrome*" had created unease with their Community Ownership regime (DK). Another reported that previous experiences of trying to work together as a community in their area had failed (Cr).

A few respondents referred to the use of the right to buy in their area. One complaint was that many crofts had been lost from crofting following the buying of the crofts (Cr). Another consultee described how absentee tenants used the right to buy to enable them to get around regulations regarding absenteeism (Cr). Finally, one crofter commented that very few crofters in their area exercised their right to buy.

SUMMARY OF KEY POINTS

- The majority view amongst those who commented was that Community Ownership was advantageous.
- Around one in 5 of those who provided a view did not consider Community Ownership the best way to proceed.
- A range of benefits of Community Ownership was identified including: allows land to become available for crofting; creates opportunities for local investment and development of job creation; acts for the community rather than the individual.

- A range of drawbacks of Community Ownership was identified including: uses a lot of public funding; can create divisions and strife in local communities; and can end up with non-crofters making decisions on crofting.
- Almost all who commented stated that there was no need to change crofting regulation on account of Community Ownership.
- The vast majority (92%) of respondents who provided a clear view were in favour of crofters receiving protection from community landlords as they had from private landlords.
- The majority (74%) view was in favour of retention of the right to buy for tenants within the context of Community Ownership.

CHAPTER 14: VIEWS ON THE FUTURE OF CROFTING

The consultation asked:

In the light of these issues, how do you imagine crofting in the future – say in 10 or 20 years time? Do you think crofting will be different from now, for example in the balance between agricultural and non-agricultural activities/income? What would you hope crofting to be? Please also tell us how what you say applies to your local area.

In total, 230 respondents (82%) addressed this topic. Some of these argued that it was difficult to predict the future as to a great extent, this might be influenced by important factors such as climate change (Cr, Cr), the world economy (Cr), public incentives (NCr, PB), Government policy (Cr), including whether crofting is deemed to be “*a good thing*” (RB), and the reform of the Common Agricultural Policy (Cr). The responses of the remaining commentators can be divided into views on what crofting is likely to look like in the future, and what they would hope crofting to look like in 10 to 20 years time.

14.1 VIEWS ON THE NATURE OF CROFTING IN THE FUTURE

Several respondents argued simply that crofting would continue to change, just as it had over the previous 10 to 20 years.

Recurring views were that crofting would shift towards non-agricultural activities. Respondents predicted greater diversification of activity with a move towards horticulture, use of polytunnels and market gardening. Although the numbers involved were very small, respondents from Argyll and Arran tended to be more open to notions of future innovation with niche markets compared with respondents from Skye who were slightly over-represented amongst those foreseeing retention of land-based agricultural activities.

It was anticipated by many that local food production would become ever more important due to factors such as increasing fuel charges and concerns regarding carbon footprints. A common view was that more food would be grown for home consumption and local food markets. An increase in “slow food” and organic methods of food production was predicted, with crofters becoming more self-sufficient.

Associated with the idea of local food production, many consultees envisaged a growth in niche markets with crofter or Highland branding.

It was generally agreed that there would be fewer cattle and sheep in the future, although a few consultees saw the possibilities of livestock remaining for the sake of the environment or because the crofter enjoyed this aspect of work. One crofter foresaw the emergence of exotic breeds of animals such as llamas. Others thought that horses, goats and pigs would become more popular.

It was envisaged that crofting would respond to the green agenda by producing more fuel crops, and working more closely with Scottish Natural Heritage, the Scottish Executive Environment and Rural Affairs Department and Royal National Institute for the Blind in developing environmental projects such as timber production, carbon management and sawmills. Some considered that windpower would play a part in developments.

It was thought that there might be a shift in demography to an older population with fewer people, but perhaps a more diverse mix. It was considered that there would be more non-crofters within crofting counties and less community working due to fewer livestock. The increased availability of broadband was also seen as contributing to this with more people able to earn a second income, working in isolation from home.

It was envisaged that forestry would become a more integral part of crofting with opportunities for mature woodland management and a growth in woodland crofts. A rise in tourism in crofting counties was also foreseen, with more accessible grants making such ventures more feasible.

Whilst two crofters predicted a reduction in absenteeism, another considered that absenteeism would increase. Likewise, whilst one crofter envisaged more amalgamations of crofts, another thought that the future would bring much smaller sized crofts due to crofters selling plots of land.

A few crofters considered that crofting in future could become more of a hobby than gainful employment, *“a lifestyle option rather than a serious system of land use”* (Cr).

Against this relatively positive background, a contrasting, more pessimistic theme was that unless changes are made to the current crofting situation, particularly to tackle what was seen as the present uncontrolled level of sales and house building, crofting may disappear altogether in 10 to 20 years time.

14.2 VIEWS ON WHAT RESPONDENTS HOPE CROFTING WILL BE LIKE IN THE FUTURE

Many respondents expressed their wish for crofting to be an economically viable activity over the next few decades, aided by suitably targeted grants. A recurring theme was for agriculture to remain one mainstay of crofting, along with traditional crofting methods and culture. It was hoped that local slaughterhouses would be in place to facilitate this, along with communal working and sharing of agricultural machinery.

Some respondents hoped that crofting would be able to adapt itself to changing markets and outside influences. In particular, many hoped that crofters would diversify to develop local food production and markets. A few respondents urged that co-operatives would be created to facilitate local production and marketing.

It was hoped that controls would be placed on housing developments and that more of the current neglected land would be cultivated. Several respondents called for a clearer strategic direction for crofting over the next two decades which they thought would provide a steer for incentives and regulations.

Some respondents hoped that crofters and non-crofters would become more integrated within communities, and that landlords would have a more positive role to play. Others hoped that there would be more crofts created.

It was hoped that tourism would play a greater role in crofters' income in the future.

SUMMARY OF KEY POINTS

- Recurring views were that in the future crofting would shift towards non-agricultural activities with greater diversification of activity.
- It was anticipated that local food production would become ever more important due to factors such as increasing fuel charges and concerns regarding carbon footprints.
- It was generally agreed that in the future there would be fewer cattle and sheep and a greater influence of the green agenda with more fuel crops and timber production.
- Many respondents expressed their wish for crofting to be an economically viable activity over the next few decades, aided by suitably targeted grants.
- A recurring theme was for agriculture to remain one mainstay of crofting along with traditional crofting methods and culture.

CHAPTER 15: VIEWS ON THE CHANGES NEEDED TO CROFTING

The consultation asked:

What changes do you think would help to bring this about? For example, should there be changes in the way crofting is regulated? Should there be changes to the Crofters Commission? Should there be changes to existing grant regimes? Please explain why you hold your particular views.

Overall, 238 respondents (84%) provided views on the changes needed to crofting over the next two decades. A vast range of topics was raised, with the Crofters Commission and the grants regimes attracting most comment. Views are summarised below.

15.1 VIEWS ON CHANGES NEEDED TO THE CROFTERS COMMISSION

Many consultees chose to provide their view on the future of the Crofters Commission, with most comments about the current operation and structure of the Commission being negative.

Whilst a very small minority of 4 crofters remarked that they thought the Crofters Commission did a good job and was helpful, all of the remaining comments criticised the Commission and/or recommended changes. Typical general comments were that the Commission was out of touch with crofting (Cr), viewed with suspicion (Cr), lacking in credibility (Cr, Cr, Cr), held in contempt (Est) and does not fulfil its function (Est).

The Commission was seen as being over-staffed (Cr) with potential for greater efficiency (Cr, Cr, NGO). (Although others argued that the Commission should be provided with more staff resources (Cr, LA, NGO)). The current staff were viewed as lacking in the necessary skills (Cr) and needing better training to ensure consistency of practice (NGO). An example was given to support this recommendation:

“In (our) limited correspondence and communication with the Crofters Commission to date, there has been, on occasion, conflicting and inconsistent information supplied via individual staff members, which has led to confusion” (NGO)

A recurring theme was that the composition of the Crofters Commission should change in order to permit greater area representation and be more accountable. Many respondents from a range of sectors called for democratically elected representation on the Commission, which included local area delegates. Some called for membership which included people with intimate knowledge of crofting (Cr, Cr, Cr, Cr) or a quota of 50% working crofters (Cr).

Another common topic was that the Crofters Commission should be made to enforce the regulations available to it. One comment was that it seemed to back away from controversial topics (Cr). Several commentators recommended that the Commission be given more “teeth” and be generally more pro-active in addressing problems.

A few respondents argued for aspects of the remit of the Commission to be emphasised such as protecting crofters’ interests (Cr), ensuring crofting was not left to the mercy of the market (Cr), and protecting crofting interests in planning issues (PB).

It was considered that the Commission should become better integrated and aligned with other relevant partners (PB) such as the Highlands and Islands Enterprise (Cr). More joined-up thinking was called for (NCr), as were closer links with local government (Cr). It was anticipated that greater pro-activity in the development and diversification of crofting enterprises would result from the Commission working in closer partnership with local authorities and the Scottish Enterprise network (LA).

Some respondents called for closer communication between the Crofters Commission and local people (DK, Cr, Cr, Cr, Cr, Cr, CG, RB), or with local Common Grazings Committees (Cr, Cr). A few consultees recommended that the Crofters Commission delegate some decision-making to local Grazings Committees or to crofters themselves (Cr, Cr, Cr, NCr, NCr, CG).

A few consultees wanted the Commission to be more independent of external bodies. One called for a break from what they saw as the current bonds of Government (RB), with others recommending independence from the Civil Service (RB), so as to stand as a self-regulatory body with its own budget (CG). One respondent emphasised the importance of the Commission performing a strategic role (NCr), or existing as a regulatory, advisory body (RB), with what were seen as the incompatible functions of regulating and development split (Cr, RB).

It was considered that the Crofters Commission could do more to market both itself and crofting (Cr, CG) and create a more positive identity for itself (CG).

A call was made for the Commission to embrace IT (LA) and undertake a mapping register of all crofts and their owners/tenants (Cr, Cr, Cr).

Fourteen respondents, almost all of whom were crofters, recommended that the Crofters Commission be dismantled. Some provided candid views on the Commission:

“A costly and ineffective quango in the regulation and administration of crofting” (Cr)

“Although there are decent people in it, it has presided over the chronic decline in crofting and has on occasions abused, misused and (more

frequently perhaps) failed properly to use its powers, and has become discredited” (Cr)

“Wasteful and ineffective quango” (Cr)

It was considered that the Scottish Executive Environment and Rural Affairs Department could perform many of the functions of the Crofters Commission, as could relevant Planning Authorities and the Highlands and Islands Enterprise (NCr, Cr, Cr, Cr). One recommendation was for a new Crofting Council to be set up which the Crofters Commission could answer to (Cr).

15.2 VIEWS ON CHANGES NEEDED TO THE GRANTS REGIME

Common views were that the grants regime needed to be simplified with grants made easier to access. It was considered that the regime was constantly changing:

“There is too much tinkering with the window-dressing – public bodies and schemes and initiatives are always re-branding themselves needlessly” (Cr)

There were complaints that applying for grants involved too much red-tape:

“I have not made great use of the grants regime but have found that there is little incentive to go through the incessant paperwork involved in obtaining grants and in reporting to SEERAD” (Cr)

“far too onerous and (the application procedures) require simplifying and shortening” (ASP)

Several respondents felt that more effort should go into making sure that grants went to people who would actively croft (Cr, Cr, Cr, Cr, RB, CG). Some recommended “start up” grants, perhaps for young people (Cr, CG, ASP, NCr).

Whilst many consultees stated simply that grants should continue, others specified what they needed grants for: fencing, drainage, ditches, over-wintering crops, lime subsidy and poly tunnels. It was felt that grants should broaden to cover a greater range of initiatives, particularly agri-environmental schemes and food production (Cr, Cr, Cr, Cr, NCr, PB).

It was argued that grants should be based more on land use rather than land size (NCr) and take more account of the needs of small operators (Cr). Several respondents considered that grants should be targeted exclusively at crofting rather than try to cover broader farming needs (Cr, Cr, NGO, NGO). Others called for the grant regime to be area-specific (NCr, NCr).

The issue of means testing was raised by several crofters who all recommended that owner-occupiers be treated in the same manner as are tenants in this respect.

One respondent requested that grants should be operated by Local Enterprise Companies as a one-stop shop (Cr). Another recommended that Crofting Counties Agricultural Grants Scheme should be managed by the Crofters Commission and not by the Scottish Executive Environment and Rural Affairs Department (Cr).

Finally, one consultee suggested that Crofting Counties Agricultural Grants Scheme should be fully integrated into Rural Development Contracts to encourage applicants to take a more integrated approach to the development of their businesses incorporating both environmental and agricultural objectives (PB).

15.3 OTHER RECOMMENDATIONS FOR CHANGE

Changes in Vision and Mindset

Some respondents (ASP, Cr) wished to see a clear vision for crofting to be promoted:

“A totally new approach for the 21st Century should be established” (ASP)

It was thought that the new vision should be underpinned by a political recognition of the value of crofting for the environment, natural heritage, employment and economy (PB), with a connection between food production, diet and health (Cr). One respondent perceived there to be a current hostility shown by Scottish Executive Environment and Rural Affairs Department, National Farmers Union Scotland and Scottish Agricultural College towards small agricultural units (Cr).

Changes in Regulations

Two views dominated (largely submitted by crofters and Common Grazings Committees): there should be stronger enforcement of the current regulations, and there should be fewer regulations. One view was that, *“the crofting way of life has been strangled by regulations”* (Cr).

Three respondents called for regulations to be abandoned altogether (Cr, Cr, Cr), with others recommending throwing out the rule book and starting again with regulations (RB, Cr, Cr, NCr).

It was considered that in future, rules should be more professional and forward-looking (Cr), take more account of small operators (LA), be more flexible (Cr), with a wider remit (Cr), and contain fewer regulations from the European Union (Cr, Cr). It was recommended that regulations be simplified (Cr, Cr, RB, NCr).

Marketing of Crofting

Calls were made for crofting to be marketed more pro-actively (NCr, ASP), on the basis of evidence collected (LA), with its own brand of products (Cr, Cr, NCr).

Education/Advice

Many respondents recommended that much more advice be made available to new entrants to crofting and also on the grants and other help which existed. More specifically, it was thought that a newsletter would be helpful (NGO), or Commission run roadshows and open days (Cr). One suggestion was for a guide book on crofting to be produced (Cr) or FE courses to support crofting (CC). A recommendation was made for a mentoring scheme for new entrants (Cr). More information was requested on diversification (NGO) and on agric-environmental schemes (PB).

Forestry

A few respondents requested that more support be provided for woodland enterprises including tree planting or woodland crofts (Cr, NGO). One consultee requested more FMCs (unknown acronym) and forestry schemes (Cr).

Less Bureaucracy

Several consultees argued that there should be less red-tape and paperwork in the future. A typical comment was:

“A croft is a piece of land surrounded by red tape” (Cr)

Tackling Absenteeism

Tackling absenteeism appeared to be a priority for many respondents who recommended tougher and speedier action be taken to tackle this. It was thought that the rules on what would be tolerated should be made clearer (NCr) with better policing of these (RB).

Protecting against Speculators

This was another key priority for many respondents who again recommended better guidelines (NCr) and stronger regulation against selling for holiday homes (Cr, Cr, NCr). Consultees asked for tighter procedures to prevent decrofting (NCr), or to restrict this to families only (Cr). One called for legislation to prevent selling to the highest bidder (CG), or the prevention of selling land for housing plots (Cr, Cr, Cr).

Support for Diversification

It was felt by many that much more support could be given to crofters trying to diversify. One crofter requested that the Crofters Commission take a lead in encouraging diversification. Others called for more grant support (Cr, Cr, Cr) and a general encouragement and acceptance of this development (Cr, Cr, Cr, Cr, CG).

New Crofts

A few consultees recommended that more land be made available for new crofts (NCr, NCr, NGO), perhaps outside the crofting counties (NCr), for example on Arran (ASP, ASP). It was considered that Common Grazings Committees could be incentivised to identify potential croft land (Cr), or crofters be involved in this (LA), and greater effort put into returning abandoned crofts to active use (LA).

In contrast to these views were those of 3 respondents who argued that crofting was outdated and should be phased out:

“Supporting crofting is essentially flogging a dead horse” (Cr)

Other Recommended Changes

Several other recommendations were made by one or only a few respondents:

- Create a crofters bank (ASP) with grants schemes run by the bank (Cr)
- Place more emphasis on employment opportunities in crofting areas (LA)
- Remove the right to buy other than in relation to the house and garden (NCr)
- De-centralise facilities such as slaughterhouses (Cr, Cr, CG)
- Improve income from livestock (Cr)
- Make crofts more affordable to new entrants (LA, Cr)
- More encouragement given to tourist related activities (LA, Cr)
- Grazings Committees to be updated in operation and more transparent and accountable (NGO, NCr)
- More opportunities identified for Community Ownership (ASP)
- Rent to be set at more economical level (Cr)
- Clearer-cut mechanism for appeals against crofting decisions (Cr)

SUMMARY OF KEY POINTS

- Most of the views provided on changes needed to crofting focused on the Crofters Commission and the grants regimes.
- The majority of those who commented on the Crofters Commission criticised this organisation and/or recommended changes.

- Typically it was considered that the Crofters Commission was out of touch with crofting and lacked credibility.
- A recurring theme was that the Crofters Commission should be more accountable, with a greater area representation.
- A common topic was that the Crofters Commission should be made to enforce the regulations available to it.
- There were calls for the Crofters Commission to become more aligned with other relevant partners and have closer communication with local people and Grazings Committees.
- Common views were that the grants regime needed to be simplified with grants made easier to access.
- Other changes suggested included: establishing a clear vision for crofting; providing more education/advice on crofting; reducing bureaucracy; supporting diversification; and tackling absenteeism.

CHAPTER 16: VIEWS ON WHAT FEATURES OF CROFTING MATTER MOST

The consultation asked:

What is it about crofting which is important to you? Please tell us what features of crofting matter most to you and why.

In total, 227 respondents (80%) addressed this topic. Responses tended to be short, with respondents listing factors which they found appealing about crofting. Many responses appeared to reflect deep-rooted instincts, with some consultees perhaps summing up the view of many:

“It’s a heart thing, not a head thing” (Cr)

“Crofting could be considered as a disease: it is in the blood and difficult to get rid of!” (Cr)

Aspects of crofting which respondents stated mattered most to them are listed below in order of most mentioned to least mentioned.

Features of Crofting that Matter Most	Approx No. of Mentions
Way of life that suits the land	48
Community Spirit/Community Working/Contribution	48
Custodian of land/Part of History/Passing on of heritage	38
Working with animals	30
Helping to protect the environment and encourage biodiversity	21
Keeps population in remote areas	20
Sense of identify/belonging/culture	19
Healthy, local food	16
Being close to nature and the land	16
Land management/working with crops in traditional way	14
Working in a healthy environment	13
Satisfaction and sense of achievement	13
Freedom	11
Self-sufficiency/Able to provide for Family	9
Good place to bring up family	8
Beautiful scenery	7
Security of tenure	6

Four features of crofting were mentioned many more times than any others. These reflect an enjoyment of being part of and carrying on a community culture, in activities suited to

the land. It was interesting to note the relative importance of working with animals amongst the positive aspects of crofting identified by respondents.

Other important aspects of crofting identified by just a few respondents included the lifestyle, quality of life, pride, diversification, flexibility of lifestyle, meeting people from diverse backgrounds, keeping active and being involved in a sustainable way of life.

SUMMARY OF KEY POINTS

- Four features were mentioned more than others as aspects of crofting that mattered most to respondents. These were: the way of life which was suited to the land; the community ethos; custodianship of the land for future generations; and working with animals.

CHAPTER 17: OTHER POINTS OF RELEVANCE TO THE COMMITTEE'S TERMS OF REFERENCE

The consultation asked:

Are there any other points you wish to make which would be relevant to the Committee's terms of reference?

In total, 171 respondents (61%) provided a response to this question, although most of the commentary repeated (often with more emphasis) points raised previously in relation to earlier questions.

17.1 VIEWS ON THE TERMS OF REFERENCE

Whilst a few respondents considered the Committee's terms of reference to be "excellent" (Cr) or "fine" (NCr), one view was that the terms were too narrowly defined and suppressed lateral thinking by pre-supposing the continuation of crofting as a form of regulated land tenure (Cr). One recurring comment was that the Committee perhaps needed to rethink what crofting comprised in the context of what were seen as great variations in size of croft, time spent on the croft, land quality, and so on. One crofter remarked:

"If you can define crofting you will have done a good job"

Another summed up the views of many by stating:

"One size will not fit all. All parts of the crofting communities are not the same" (CG)

One further view was that the terms should be wide enough to ensure that non-crofters within crofting townships are considered along with crofters (DK).

17.2 VIEWS ON THE COMMITTEE'S NEXT STEPS

Many respondents wanted to see the momentum created by the Committee of Inquiry maintained and transformed into positive, high level support and action. There were several calls for the Committee to be bold and make convincing representations to Government for more support for crofting. A pragmatic view was that a clear decision needed to be taken on whether there should be a future for crofting, and if this was decided, then every effort should be made to action this in a comprehensive manner (Cr). One crofter recommended that the Inquiry free itself from any influence of Brussels, Scottish Executive Environment and Rural Affairs Department and the Scottish Parliament in making its recommendations.

For some, the Inquiry was seen as a final opportunity to make big changes to support crofting, and this should not be wasted:

“I believe that this Inquiry represents a last chance to secure a future for crofting in the Highlands” (DK)

“It will be a missed opportunity if this Inquiry leads to tinkering with existing legislation, rather than wholesale reform” (NGO)

Some commentators recognised the need for the Scottish Parliament to engage positively with the Committee of Inquiry. A few felt that there appeared to be no previous political will to support crofting (Cr, NCr), and that strong Ministerial engagement and direction were now required (PB, Cr).

Various respondents emphasised their view that the Inquiry should broaden what they saw as the narrow analysis of crofting in terms of economies and markets to consider wider benefits including ecological value, the green agenda and potential for tourism (Cr, Cr, Cr, NGO). The Committee was urged to recommend capitalising on such opportunities, for example by securing European Union LIFE+ funding for innovation and the development of conservation management of machair grasslands (NGO).

17.3 OTHER VIEWS

As stated above, many respondents simply repeated or summarised what they considered to be the most important points from their responses to the previous questions. Recurring messages included:

- Concern about the right to buy legislation
- Concern about decrofting leading to speculation
- Concern about too much regulation including constraints imposed by Scottish Natural Heritage, National Trust, Royal Society for the Protection of Birds
- Concern that paperwork has become unmanageable for many crofters/would-be crofters
- Support for the development of Community Ownership
- Recommendations that more is done to retain young people
- Calls for improved infrastructure such as roads on Skye and telecommunications facilities such as broadband
- Calls for the Crofting Commission to be more pro-active in enforcing regulations and supporting crofters
- Recommendations that a register/map of crofts/tenants is completed and maintained
- Mixed views on whether crofting should be developed on Arran with several respondents requesting more information on the options

In addition, some fresh ideas and commentary were submitted. It was felt that the contribution of landowners to crofting had tended to be overlooked and **more should be made of the potential for synergy between landowners and crofters** in taking crofting forward in a positive manner (Est, RB). A pertinent comment was:

“Traditional crofting landlords and crofters actually have very much more in common than separates them” (RB)

A few respondents considered that crofting should be developed within a more robust **strategic framework**. Some emphasised what they saw as the importance of prioritising crofting plans at individual croft level and township level. One crofter outlined their vision of a strategic hierarchy with the maintenance of crofting communities at the top, followed by encouraging economic activity, safeguarding the environment, and lastly, encouraging cultural diversity. Another crofter called for a completely new Crofting Act which pulls together all of the relevant legislation to date.

One recurring theme was the need for **one overarching governing body** for crofting with the interest of securing the future of crofting at its heart. A few others suggested that **Grazings Committees be modernised** to become more professional in approach (Cr) and perhaps include non-crofters or even holiday home owners (DK). One respondent with the experience of having 2 Downs Syndrome children whom they wished to involve in crofting requested that **more be done to enable people with learning difficulties to participate in crofting** (DK).

Finally, several respondents suggested that crofting could **learn from effective practice** (and previous mistakes made) **in other countries and contexts and indeed from crofting communities themselves**. A specific example was the community development activity taking place on Tiree (PB). Western Isles Council stated that it was about to embark on a community appraisal exercise with several questions relating to crofting, and that the results would be available for the Inquiry to consider later in the year.

SUMMARY OF KEY POINTS

- Few comments were made about the Committee’s terms of reference. One recurring view was that the Committee needed to rethink what crofting comprised.
- Many respondents wanted to see the momentum created by the Committee of Inquiry maintained and transformed into positive, high level support and action.
- Some saw the Inquiry as a final opportunity to make big changes to support crofting.
- One recurring view was that there had appeared to be little previous political support for crofting and this was now needed.
- Some respondents urged that the benefits of crofting should be viewed in the wider context of ecological value, the green agenda and potential for tourism rather than purely in economical and market terms.

- Fresh ideas for the future included: making more of the potential synergy between landowners and crofters; developing a robust strategic framework for crofting; establishing one overarching governing body; modernising Grazings Committees; helping people with learning difficulties participate in crofting; and learning from previous practice amongst crofting communities and in other countries.

ANNEX 1: LIST OF RESPONDENTS TO THE CONSULTATION

Copies of all non-confidential responses can be located on the Committee of Inquiry website. The respondents to the consultation were:

Airds, Kirkton and Balindore Grazings Committee
Argyll and Bute Council
Armadale Common Grazings Committee
Arran Estate Office
Assynt Crofters' Trust
Bonawe Common Grazings
Borve and Annishader Common Grazings
Braes Estate
Cairngorms National Park Authority
Callanish Common Grazings Committee
Camuscross Township, Sleat, Isle of Skye
Comhairle nan Eilean Siar
Crofters Commission
Highlands and Islands Enterprise Network
Highland Council
Isle of Gigha Heritage Trust
Isle of Lewis Aird Township
Kincraig & Vicinity Community Council
Laid Grazings Committee
Melness Crofters Estate
Morvern Community Development Company
Ness Community Council, Isle of Lewis
NFU Scotland
NFU Scotland - Tiree Branch
North Ballachulish Township Grazing Clerk
Northmavine Development Company
North Harris Trust
North Highland Forest Trust
Ollaberry etc Grazings Committee
Orkney Islands Council
Plockton Grazings Committee
RSPB Scotland
Scottish Council for Voluntary Organisations
Scottish Crofting Foundation
Scottish Estates Business Group
Scottish Natural Heritage
Scottish Rural Property and Business Association Limited
Shetland NFU
Southside Strathfleet Grazing Committee
Swainbost and Habost, Ness - Grazing Clerks
The Nadair Trust

The National Trust for Scotland
Tiree Rural Development Ltd.
West Highland Housing Association
Wester Ross Alliance

There was one further organisation response but no details provided of this organisation's name.

Two hundred and thirty six individuals submitted responses.⁴

⁴ Four further individual responses were received too late to be included in this analysis although they have been read by members of the Committee of Inquiry.