

1. Do you agree that the new areas should be designated for Crofting?

No.

The new forms of tenancy created under the Agricultural Holdings (Scotland) Act 2003 broadly set the correct tenancy framework needed to fulfil the requirements for a viable forward looking and enterprising let agricultural sector with the proviso that further consideration should be given to bridging the gap between a 5 year SLDT and a 15 year LDT and the provisions for the repair and maintenance of fixed equipment.

Young entrants into agriculture face many challenges. Securing land is fundamental to this and landowners need to be encouraged to make land available. This proposal with all its wider connotations will not achieve this.

Access to capital is the other key constraint. In this consultation it is envisaged that the new crofting tenant will need to have sufficient capital to provide all of the fixed equipment. This contrasts with the fixed equipment provisions under an LDT where this financial burden is borne by the landowner.

2. Do you agree that the new areas should align with those of Highlands & islands Enterprise?

No.

For the reason set out in 1.

Moray and Banff differ economically, culturally and geographically from the Highlands & Islands.

3. Is there another area which has a stronger claim?

No – see 1. above

4. Do you agree that the Crofting Community right to buy should not be extended to the new areas?

Yes.

If crofting were to be extended to these areas it is unlikely that there would be sufficiently large areas of contiguous newly-crofted, land created to provide a community in terms of the legislation.

5. Any other comments?

As stated above The Crown Estate is not in favour of an extension of crofting beyond the crofting counties.

We feel greater rewards and opportunities will be achieved for those seeking to move into the sector or wishing to grow and develop within the sector by improving the new tenancy arrangements created under the 2003 Act which will also help to rebuild confidence in this vital sector. This we feel represents a forward-looking approach to the needs of the industry rather than creating an inflexible structure that is not linked to the ever changing needs of the market.

A partnership with tenants, including young entrants, which provides security of tenure for a set period of 5 to 15 years, on well-equipped holdings will enable the best to grow a successful farming/rural business by taking initial pressure off the tenant.

Crofting tenure has been used in the Highlands and Islands to try to create stability in remote communities on land that has very limited economic agricultural use. In Moray and Banff the issue is not depopulation and land quality but a shortage of opportunity, and in the livestock areas tight margins. We need structures that give able people the chance to have a go and if they do not succeed that allows someone else to follow on after them. In these circumstances crofting tenure could be a constraint rather than a progression.