



Scottish Crofting Foundation

rooted in our community

11th March 2008

Phil Burns
Scottish Government: Rural Directorate
Rural Communities Division: Land Tenure, Land Reform
Area 1D
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Pentland House
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Dear

DESIGNATION OF NEW AREAS FOR CROFTING

The Scottish Crofting Foundation is pleased to submit views to this consultation. This response may be made public.

Overview

1. We very much support the extension of the benefits of crofting tenure to other rural areas and agree that all land within the HIE area should be eligible for crofting status.
2. However, the current legislation does not in our view go far enough and creates an odd legal distinction between 'the extension of the crofting counties' (which is what everyone thinks this consultation is about) and 'the designation of areas in which crofts can be created'. Although the powers under the 2007 Act do provide a timeous opportunity to allow croft creation in areas such as Arran and Moray, where this has long been desired, we would recommend further legislative change to follow to give these areas the same status as the crofting counties.
3. Given that, apart from Small Landholding tenants, the onus to create crofts is on landowners, we wonder to what extent this will happen and what plans the Government has to encourage landowners to make crofts available. In some areas, the National Forest Estate would appear to offer good opportunities for croft creation and we would like to see communities wishing to pursue this option given every support.
4. The extension of the benefits of crofting tenure without the extension of crofting support seems perverse and we suggest most strongly that this should be reconsidered.

Specific questions asked:

- **Do you agree that new areas should be designated for Crofting?**

Yes, however, as noted above, we would in future like this to be further extended by legislation to allow the creation of new commons (grazings and woodland) in the areas where there is land held in crofting tenure.

- **Do you agree the new areas should align with those of Highland and Islands Enterprise? If not, Why ?**

Certainly all of the HIE should be included. However, we believe that crofting as a model of tenure could equally have benefits in other parts of the country.

- **Is there another area which has a stronger claim? If so, Why?**

We see no reason why other parts of the country could not also benefit from crofting tenure. When crofting tenure is extended, the support and assistance available to existing crofting communities should likewise be extended to them. This should involve a commensurate increase in the budget of these grant schemes.

- **Do you agree that Crofting Community Right to Buy should not be extended to the new areas?**

We believe that the provisions of Part 3 of the Land Reform Act should be provided for in the new areas, through extending the right to create new common grazings to the new areas.

- **Any other comments?**

We would be happy to discuss this with you further at any time.

Yours sincerely,

Norman Leask

Chairman, Scottish Crofting Foundation