

CROSS-PARTY GROUP on CROFTING
Meeting 20 of Parliamentary Session 4
Scottish Parliament, room Q.1.04
Wednesday 12 March 2014 at 17.30

MINUTES

Present:

Jamie McGrigor MSP¹ (Chair)
Patrick Krause SCF (Sec)
Derek Flyn SCF
William Fraser crofter
Ross McLaren SCRG
Dave Thompson MSP
Ross Lilley SNH
Stephen Varwell SNH
Richard Evans RSPB
Wendy Kenyon SPICe
Tom Edwards SPICe
Iain Keith SCF
Susan Walker CC
Catriona MacLean CC
Norman Leask SCF
Andrew Midgley SLE
Brian Inkster CLG
Fiona Mackenzie UHI
Tavish Scott MSP
John Brownlee SG
Gordon Jackson SG
Clare Slipper NFUS
Murdo MacKay CnES
Kevin Patrick LANTRA
Jean Urquhart MSP
Douglas Pattullo office of Jamie McGrigor MSP
Lucy Sumsion NFUS
Sandy Murray NFUS
Neil Ross HIE

1. Welcome and Apologies.

Jamie McGrigor welcomed everyone and invited introductions. Apologies were received from:

Russell Smith SCF; Karen MacRae SCF; Robin Haig; Rhoda Grant MSP; Rob Gibson MSP; Angus MacDonald MSP; Billy McKenzie SG; James McPherson CAB; Gwyn Jones EFNCP; David Atkinson SCRG; Pam Rodway SAS; Richard Frew SG; George Farlow HC; Jean Balfour SLE; Colin Kennedy CC; William Neilson NFUS.

¹ **Acronyms:** CAB Citizens Advice Bureau; CC Crofting Commission; CLG Crofting Law Group; CnES Comhairle nan Eilean Siar; EFNCP European Forum for Nature Conservation & Pastoralism; HC Highland Council; HIE Highlands & Islands Enterprise; HSCHT Highland Small Communities Housing Trust; HWU Herriot-Watt University; JHI James Hutton Institute; LANTRA Land-based & Environmental Industries; MSP Member of the Scottish Parliament; NFUS National Farmers Union Scotland; RoS Register of Scotland; SAS Soil Association Scotland (Crofting Connections); SCF Scottish Crofting Federation; SCRG Scottish Churches Rural Group; SG Scottish Government; SLE Scottish Land & Estates; SNH Scottish Natural Heritage; SPICe Scottish Parliament Information Centre; RSPB Royal Society for the Protection of Birds; UHI University of Highlands and Islands; WCP Woodland Crofts Partnership.

2. Election / re-election of office-bearers

Jamie McGrigor MSP was proposed as Chair by Dave Thompson MSP. Agreed.
Jean Urquhart MSP was proposed as Vice-chair by Tavish Scott MSP. Agreed.
Patrick Krause was proposed as Secretary by Jamie McGrigor MSP. Agreed.

Chair asked it to be noted that Douglas Pattullo does a huge amount for the group. All agreed that thanks are due.

3. Minutes of the previous meeting

Minutes of 29 January 2014 agreed.

4. Matters arising

5. Sea Eagles

SNH representatives Ross Lilley and Stephen Varwell, and a crofter from Gairloch Willie Fraser.

Sea eagles were once widely distributed across Scotland but became extinct in 1916. A reintroduction programme began in 1975 when birds from Norway were released on the island of Rum. Since then their range has been spreading, with 52 breeding pairs recorded in 2010 across the West Highlands and Hebrides. Further reintroductions have been undertaken in the east of Scotland over the past 5 years and the first birds from this re-introduction are beginning to establish territories.

SNH has operated several localised sea eagle schemes in the Highlands and Islands since the late 1990s (mainly on Mull, Skye and mainland Argyll and Lochaber) and these were replaced by a single scheme covering all of the West Highlands and Islands. This scheme was devised by a partnership of government, NGO and industry representatives and built upon the positive elements of the previous schemes. SNH has operated the scheme on behalf of the partnership for three years. It had the following aims:

- Providing opportunities to undertake more projects for the benefit of sea eagles (for example, providing improved feeding habitat, nesting sites or roost areas).
- Spreading the economic benefits of the presence of sea eagles to a wider section of the community (for example, through new projects which help people to view sea eagles or create other tourism opportunities based upon the presence of sea eagles).
- Assisting positive management of land and livestock which reduces the impact of the foraging behaviour of sea eagles on agricultural enterprises.

Discussion:

Chair - crofters see sea eagles as a threat, some of this perceived and some real. Does SNH have a strategy to reduce the conflict?

Ross - SNH is working with crofters on sea eagle management and there are practical things to do such as contracting advisers.

Q - What do the eagles eat and how do you know this?

Ross - They eat a wide variety of things including fish. As well as hunting, they are scavengers. The main source of information is by looking in the nests. However it is quite difficult to get empirical data. Their diet varies with climate, local conditions, viability of the lambs etc. It is not consistent and changes year by year.

It was pointed out that crofters suffer the impact of eagles year after year and the Chair emphasised that there is a great deal of concern in this meeting.

Willie Fraser pointed out that crofters are giving up sheep due to eagle predation. For example a crofter had 85 lambs to the Hill but only 45 came back. Admittedly foxes take lambs but not

in big numbers and tend not to go for large lambs. Eagles will go for any size of lamb. It is a myth that they only go for small lambs. A recent report by a consultant shows an example of one taking a 20 kg lamb. Even ewes are attacked, there is proven claw damage. Septicaemia then sets in and the ewe is lost. Willie loses on average about 20 lambs a year and other crofters in the area have similar losses.

Q - was there an experiment to track lambs?

Willie - yes but the box that was attached to the lambs was too big and put the eagles off as they are very suspicious.

Q - do you get compensation for lamb loss?

Willie - no. Compensation is insulting, it makes us feel like we aren't looking after the stock but we are. We just can't do anything about this predator. We can control black-backs, crows etc but not the sea eagles. Hills go rank when crofters give up. We lamb inside now and don't let the lambs to the Hill until June but older crofters can't do this, they rely on the Hill.

Chair - is this borne out by your experience Ross?

Ross - yes, eagles take light lambs and sometimes ewes. However the "black loss" is from other predators also, not just eagles. We try to help adapt the sheep system to mitigate. For example we can provide financial help with sheds, shelters etc. This is not compensation it is management support.

Willie - that large lamb I mentioned was killed in late July. We can't keep them in all summer - they should be out on the Hill.

Norman - Norway doesn't seem to have such a problem, but they have fish. There was no making sure that there were plenty of fish in Scotland before slipping the birds. They are big and when hungry will take anything.

Ross - Norway also has plenty of alternative game, much more so than Scotland. Land management practice can increase numbers of game.

Lucy pointed out that crofters are used to the black loss but that eagles are tipping the balance and people just give up.

Willie - we don't get sheep death like we used to due to better dip chemicals and predator control, but since the eagles were released sheep death is increasing noticeably.

Lucy - following significant concerns from our members, and a number of meetings that we have held, NFUS will be producing a Sea Eagle Action Plan to be sent to Scot Gov.

Tavish - is there a target population for the eagles, how many do you envisage there being and when you reach that number what will you do?

Ross - there is no target, and there are no plans to release more eagles. There is no long-term plan for a target population.

RSPB pointed out that the former range of sea eagles was throughout Britain and Ireland and so we are nowhere near that population now and it would take decades to get anywhere near it. However all would want to avoid a cull so there is need to manage the population. SNH and RSPB will work with SCF, NFUS etc to gather information on numbers.

Iain - it seems that the birds were released before getting a good idea of what food resources exist. There doesn't seem to be enough monitoring of practices or related behaviour of the eagles, so is not enough evidence for crofters and farmers to go into habitat schemes or stock disposal schemes.

Jean – it is very good to hear from SNH; are crofters and farmers complaining to you?

Ross - yes.

Jean - what action should be taken?

Ross - we need to review the situation, we will meet with crofters and farmers and look again and the situation and how it has changed since three years ago. We will also look at a long-term plan.

Chair - does Mull have a compensation scheme?

Stephen - no Mull is the same as all areas, there is money available for a management agreement. This doesn't depend on numbers of lambs, it depends on the activity undertaken to manage the problem. Under state aid rules no compensation can be paid but we can pay to help management of the problem within 5 km of a nest.

Sandy - the NFUS is carrying out a survey on sea eagle impact. We will collate responses and publish recommendations. We are not allowed to leave carcasses out which is a shame as they would be good food for scavengers.

Norman - apparently in Spain they use feeding stations, where dead livestock are left out for predators. This keeps them away from the live animals. SCF have been asking Scottish Government to be able to do this for some time.

Action: a letter to be written to the Minister expressing concern and asking for comment.

Action: a similar letter to be written to the new chair of SNH.

6. Crofting Development Update:

did the presentation on public support to crofting answer the SCF paper on crofting development?

Derek said that he wasn't at the presentation but would draw attention to the SCF paper that was presented at a meeting some time ago. Crofting development was given to HIE, but the SCF definition seems to be different from that of HIE, who emphasise that they develop communities. The SCF paper has a list of crofting development responsibilities that used to be under the Crofters Commission and these have not been picked up by HIE. For example, there are new crofting areas and the ability to create new crofts, but no one is developing new crofts. The conclusion must be therefore that the presentation did not answer the SCF paper. No one is doing crofting development.

Neil - there is no one public sector body doing crofting development but there are many, HIE, Registers of Scotland, Scottish government, Crofting Commission, SNH and so on. There is no single one door

Q - whose door should a crofter knock-on for crofting development?

Neil - it depends on what they want to do.

Norman - what happened to the budget for crofting development that the commission used to have?

Neil - it was calculated on the number of staff that the commission had that were involved in crofting development.

Norman - yes, but what happened to the crofting development budget?

Neil - HIE was not asked to work with crofters, but with crofting communities - groups of crofters. For example we will work with a township which may be crofters only. However if there are non-crofters in a community we will work with them too, we don't work just with an exclusive group, it is difficult for us to work with just crofters. We want all people in the community to participate.

Dave - do you have successes that you could point to?

Neil - the purchase of land for communities, development of social enterprises, renewables.

Dave - but not crofting specific?

Neil - crofters can participate.

Dave - but where is the crofting development budget? Was it subsumed by the general community development budget?

Neil - it was a one-off transfer.

Gordon - a lot of public sector organisations are involved in crofting development. For example point no.2 in the SCF paper, these were taken out of the 2010 act. The bull scheme, woodland grant schemes, CCAGS. Other organisations including HIE are involved, for example business Gateway, Crofting Commission, SNH. The budget for crofting development was £180k, this was subsumed into the HIE budget.

Dave - crofters are just treated like any other business by HIE. There is a need to identify the gaps in crofting development that are not being undertaken by any public body, for example the creation of new crofts, which seems to be sitting in a layby. We need to encourage the development of new crofts.

Neil - HIE have been involved in the creation of forest crofts, but it is not straightforward. Crofting rights devalue land. Groups want public sector support to buy land to create crofts, and the seller wants full value, then when put under crofting tenure the land is devalued. This is a big problem in the creation of crofts.

Dave - so the legislation needs to change in order to implement the intention.

Derek - valuation was looked at years ago. Valuers only look at landlord interests. Crofts are worth a lot of money and should therefore increase the value of land, but no one is focusing on it.

Neil - HIE had someone seconded for two years from Forestry Commission Scotland.

Derek - yes, but no one is tackling the valuation problem.

Gordon - crofting development is not just about the creation of new crofts, there is a need to focus on getting existing crofts working.

Susan - there is not a strategic vision on crofting development. We now have over 300 crofts occupied that were not, but can't assess if they are worked.

Norman - SCF have always said that neglect is the issue.

Jean - keep crofting development on the agenda, there needs to be reporting back. **Agreed.**

Lucy said that HIE has on a number of occasions stated what they do for Crofting Community Development and that we should be asking Scottish Government what they think the issues are and how can they be resolved? She also mentioned the press release (passed around) about the letter that NFUS had just sent to Paul Wheelhouse asking for the setting up of a

Crofting Stakeholder Forum that could take forward this issue along with other crofting related matters.

Gordon replied that he will be happy to provide a summary of roles/responsibilities for crofting development.

Action: Gordon to provide a summary of roles/responsibilities for crofting development.

7. CAP Reform Update

Gordon reported that the consultation on Pillar 1 will end on 28 March, having had an extension.

The Cabinet secretary and the Minister for environment met with SCF today. The Highlands and Islands agricultural support group have also requested a meeting with the Cabinet secretary.

8. Progress regarding crofting law

including the Sump and consolidation of Acts

Derek reported that the sump closed at the end of February and a report will be compiled for the end of April. Anyone can request a copy. This will be followed by a consultation period May to July and a second draft will be prepared in August/September. Scottish government will have a mailbox during the consultation period. There will need to be a form of agreement to make changes. The final report should be ready around October.

9. AOB

- Iain asked if the NFUS had suggested €15 per hectare for rough grazing and also if NFUS had suggested opening up of CCAGS to all of Scotland?
Lucy said NFUS did not suggest €15 per hectare they just used figures in the Scottish Government consultation. With regards to CCAGS the NFUS suggestion was only that it should be also open to small farmers in the crofting counties.
- Derek reported that stakeholders met with Registers of Scotland with regards to community mapping. The role of the community mapping liaison officer was discussed. There had been good selection of candidates and these are being worked through.
- Lucy reported that there was a national goose conference on Islay looking at issues regarding protected species and greylags. Proceedings will be available in due course.
- Susan reported that there are two days left for applications for a commissioner to cover landlord interests.

8. DONM

23 April 17.30