

Our Ref: PP/NM/C20

Mike Russell MSP  
Minister for Environment  
The Scottish Government  
Victoria Quay  
EDINBURGH  
EH6 6QQ

22 August 2008

Dear Mike

### **Shucksmith Report**

As I indicated to you when we met in Portree last week, I now summarise for you the findings of the survey that I organised with my Labour colleagues Rhoda Grant and David Stewart, and with the encouragement of our Shadow Minister for Rural Affairs, Sarah Boyack.

We sent the survey to every Grazings Clerk on the data base provided by the Commission, close to 600 questionnaires. We have had, to date, 121 responses. It is clear the responses have, for the most part, followed a discussion with or meeting of the Grazings Committee, so represent a fairly wide view among active crofters.

The survey sought views on the main conclusions of the report that seemed to be causing concern and which, potentially, had the most profound effects. You will see the findings echo the comments we heard forcibly at the Portree meeting.

It is clear there is very substantial concern from among crofters that the particular prescriptions Shucksmith recommends on governance and to impose 'real burdens' are either unworkable, or undesirable, or both.

In terms of governance, the survey shows there is very little support for the idea of Local Boards which Shucksmith envisaged having a role in regulatory decisions, either semi-autonomously, or devolved in some way from the proposed Federation of Local Boards. When presented with the choice, crofters overwhelmingly state they prefer to retain the Crofters Commission.

On the question of 'real burdens' the questionnaire confirms the very trenchant opposition expressed at the Portree meeting with, again, an overwhelming majority expressing opposition.

**Peter Peacock**  
**Member of the Scottish Parliament for the Highlands & Islands**  
Please reply to:

□Parliamentary Office  
The Scottish Parliament, Room M1.04  
Holyrood, Edinburgh, EH99 1SP  
Tel. (0131) 348 5766  
Fax. (0131) 348 5767

Regional Office□  
PO Box 5717  
Inverness, IV1 1YT  
Tel. (01463) 716299  
Fax. (01463) 716572

e-mail: [Peter.Peacock.msp@scottishparliament.uk](mailto:Peter.Peacock.msp@scottishparliament.uk)  
[www.peterpeacock.org.uk](http://www.peterpeacock.org.uk)

Parliament has displayed its desire to be in tune with crofters' opinions in its handling of the last Crofting Act. During the passage of the Bill, with cross party support, Ministers dropped key sections in order to consult more fully with crofters about the vision for crofting into the future. This action was taken because crofters were expressing such concern about particular provisions. You will recall Sarah Boyack chaired the Committee which took this approach and subsequently commissioned the Shucksmith Inquiry. In drafting any Bill that you feel is necessary, I urge you to fully reflect on this survey's results and on the clearly expressed views of crofters in Portree last week.

I have made it clear that my colleagues and I do not feel bound to accept the Shucksmith recommendations as an indivisible package. There are aspects of the Shucksmith recommendations which are uncontroversial, clearly workable, which merit support and would bring improvements for crofting. Among these is the reform of agriculture payments and housing grants and the development of the rural development programme to be more crofter friendly. Further, for example, there seems no contention in the recommendation on the register of crofts, or on the registration of leases.

That said, it remains the case that some of the more controversial recommendations in the Shucksmith report were designed to address the questions arising from the developing free market in crofts which is real and also causing widespread concern in the crofting community. If the particular prescription Shucksmith offered is seen to be unworkable, there is a need to develop alternative proposals. I do not believe that to be impossible and in part the answer will relate to the way in which the Commission is appointed, directed to operate, and what its priorities should be. The Commission is supported by a body of law which is extensive and can have real impacts, if used consistently and effectively. My colleagues and I will be considering the issues here, so that we can play a full part in ensuring the challenges facing crofting are met and its future secured, but doing so in a way that seeks to work with the crofting communities and gains their active support for improvement measures.

I hope you find the survey results of interest and value.

Yours sincerely

Peter Peacock MSP  
On behalf of Rhoda Grant MSP, David Stewart MSP  
and Sarah Boyack MSP, Shadow Minister of Rural Affairs

**Peter Peacock**  
**Member of the Scottish Parliament for the Highlands & Islands**  
Please reply to:

□Parliamentary Office  
The Scottish Parliament, Room M1.04  
Holyrood, Edinburgh, EH99 1SP  
Tel. (0131) 348 5766  
Fax. (0131) 348 5767

Regional Office□  
PO Box 5717  
Inverness, IV1 1YT  
Tel. (01463) 716299  
Fax. (01463) 716572

e-mail: [Peter.Peacock.msp@scottish.parliament.uk](mailto:Peter.Peacock.msp@scottish.parliament.uk)  
[www.peterpeacock.org.uk](http://www.peterpeacock.org.uk)

The main findings, to date, are as follows:-

**Question 1 - about the potential for developing the role of the Grazings Committees**

- There is a broad split in view, but with a small majority of Grazings Committees not wishing a role in wider decisions on community development issues. [Yes to wider role 48%, No 52%]
- A large majority of Grazing Committees, however, would not welcome new members, who are not crofters, for carrying out this purpose, were it to be furthered as a suggestion. [Yes to new members 18%, No 82%]
- Well over half of respondents did not believe that the Grazings Committees have the resources currently to fulfil the functions envisaged. [Yes, sufficient resource 37%, No 63%]
- An overwhelming majority wanted the Assessors Network to continue to exist. [Yes 85%, No 15%]

**Question 2 - about governance arrangements, local boards, etc**

- There was very little support for regulatory decisions being taken by new Local Boards, with an overwhelming majority wishing the Crofters Commission to continue with that responsibility. [New local boards 8%, new federation of local boards 6%, Crofters Commission 86%]

**Question 3 - about the issues surrounding real burdens**

- There was strong opposition to the imposition of “real burdens” on crofts and houses on crofting land. [Yes 20%, No 80%]

**Question 4 - about the development functions and development budget of the Commission**

- There was substantial support for the Crofters Commission retaining development functions and its budget, rather than have this function transferred to HIE. [HIE 9%, local boards 3%, federation of boards 13%, Crofters Commission 75%]

**Question 5 - about how the report should be handled**

- There was very little support for the Shucksmith recommendations being implemented in full [3%] and only marginally more support for it being accepted partially [6%]. Most respondents [51%] believed that the government, after consultation with crofters, should implement the recommendations where there is a consensus amongst crofters. A slightly smaller number felt that the recommendations should be rejected in full [40%].

**Peter Peacock**  
**Member of the Scottish Parliament for the Highlands & Islands**  
Please reply to:

□Parliamentary Office  
The Scottish Parliament, Room M1.04  
Holyrood, Edinburgh, EH99 1SP  
Tel. (0131) 348 5766  
Fax. (0131) 348 5767

Regional Office□  
PO Box 5717  
Inverness, IV1 1YT  
Tel. (01463) 716299  
Fax. (01463) 716572

e-mail: [Peter.Peacock.msp@scottish.parliament.uk](mailto:Peter.Peacock.msp@scottish.parliament.uk)  
[www.peterpeacock.org.uk](http://www.peterpeacock.org.uk)