

# Duty to report CONSULTATION RESPONSE FORM



**Please Note: This form must be returned with your comments to ensure that we handle your response appropriately**

## 1. Name/Organisation

### Organisation/Name

S c o t t i s h   C r o f t i n g   F e d e r a t i o n

Title  Mr    Ms    Mrs    Miss    Dr   *Please tick as appropriate*

### Last name

K r a u s e

### First name

P a t r i c k



## 2. Postal Address

IV408AX

U n i t   2 6  
K y l e   I n d u s t r i a l   E s t a t e  
K y l e   O f   L o c h a l s h  
Postcode IV40 8AX Phone 0 1 5 9 9 5 3 0 0 0 5

Email hq@crofting.org

## 3. Permission - I am responding as ...

Individual   /    Organisation

*Please tick as appropriate*

(a) Do you agree to your response being made available to the public (e.g. on the Crofting Commission website)?

*Please tick as appropriate*    Yes

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

*Please tick ONE of the following boxes*

Yes, make my response, name and address all available  

Yes, make my response available, but not my name and address  

Yes, make my response and name available, but not my address  

(c) The name and address of your organisation **will be** made available to the public (on the Crofting Commission website).

Are you content for your **response** to be made available?

*Please tick as appropriate*

Yes

No

(d) We may share your response with Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you in relation to this consultation exercise?

*Please tick as appropriate*

Yes

**We value your views as they will help develop the Duty To Report form. It is envisaged the information collected via the form will highlight the issues affecting crofting. Please record your comments in the text boxes below indicating which part(s) you are commenting on.**

Duty to Report document  Part 1

Q2.ii should have 'over-used' option.  
Q3. should have 'cattle club' option.  
Q4- Q6. Whilst not too invasive, grazings clerks, SCF members, have said that they do not think it is within their remit to comment on in-bye at all; the grazings committees' responsibility is the management of common grazings. Grazings committees are voluntary bodies. It is difficult enough to get a grazings committee together as it is, without extra duties being placed on them. If the Crofting Commission need to know about crofts, ask the crofters. There is within law the provision to ask crofters to fill in an annual return; surely that is the place to ask about crofts. Many SCF members have voiced this opinion.

Duty to Report document  Part 2

Questions on common grazings are fine but should offer more options than 'yes' and 'no' to indicate the extent. There should be no questions on in-bye. If it was felt by SCF members that if grazings committees were reporting on fellow crofters the committees will lose all trust and credibility.  
What are the consequences for not filling the form in? It doesn't say anywhere. To avoid any potential consequences many grazings committee members have told us that if they will resign rather than comply with this.  
What about grazings that do not have a committee? Who will form a committee if it is expected to report on neighbours? We are all trying to sort out common grazings but this hinders that intent.

Duty to Report document  Part 3

This part is fine, but the form should indicate that future plans are agreed by all share-holders.

Duty to Report document  Part 4

As above; this part should only refer to common grazings; any questions relating to croft in-bye should be removed. It is not clear if this (or any Part) is mandatory. We have received a lot of feedback on these forms and whilst all have accepted that they should answer any questions on common grazings for the good of the common grazings, we have had not a single indication of support for questions on croft in-bye. It is felt that these forms will bring common grazings committees into disrepute and will damage any relationship common grazings have with the Crofting Commission. There are already routes to inform the CC of problems with neglect of duty so we don't need another. Will the CC act on information? There is a noticeable absence of commitment to respond by CC on the forms.

Duty to Report document  Part 5

There doesn't seem to be a Part 5 so we will use this space to re-iterate that our members are very much against the notion that unpaid, untrained and unsupported grazings committees should be asked to report on crofts. This is seen as extremely divisive. We are trying to get townships to work better together (for example through asset mapping) but this legislation appears to have been designed to thwart development and erode any community working that may exist. Whilst the intention may have been to 'empower' crofting communities this legislation has clearly been drafted by people who do not understand crofting, crofting communities or communities in general. Where else in Scottish society are residents instructed by law to report on their neighbours? These are the views SCF members have given.

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