

John Bull found that due to work and family commitments he had little time to look after his croft at Grenitote, North Uist. However, he was keen that the croft was maintained in good order. John therefore applied to the Commission to sublet the croft to his nephew, Seumas Boyle, for a period of 10 years.

It's great to see a young person so keen on crofting so I wanted to give Seumas the opportunity to work the croft and I know he will keep it in good order for the period of the sublet.

John Bull

Seumas is 18 years old and works on a farm in Uist. Seumas will keep sheep and cattle on the croft and grow winter feed on the Machair. He intends to enter the Scottish Rural Development Programme.

The tenant of croft 4 Malaclate was not complying with the duty to be resident on or within 32km of the croft. After investigation and discussions with the tenant, the croft tenancy was terminated by the Crofting Commission.

Following dialogue with the landlord, the Commission undertook the letting of the croft and the vacant croft tenancy was advertised in the Stornoway Gazette and on the Commission's website.

The Commission received several applications for the tenancy and three Commissioners interviewed 5 potential tenants. The tenancy has been awarded to a local young crofter who lives within two miles of the croft and plans to improve the fencing, ditching and grazing and stock the croft with livestock.

Who can help?

The Crofting Commission is on hand to support and advise crofters on the options available to them.

The Crofting Commission has a network of Area Assessors who act as a point of contact for crofters in their local area to provide advice and guidance on crofting matters. Visit www.crofting.scotland.gov.uk/assessors.asp to find out more.

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**CROFTING COMMISSION
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and is not intended to constitute legal advice



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DUTIES OF A CROFTER

Securing the future of crofting



Crofts are a valuable resource that should be available both now and in the future for existing crofters and new entrants to crofting to use productively.

The Commission wants to encourage crofters to understand their responsibilities and to self-regulate.

Self-regulation means crofters stay in control over what happens to their croft, choosing options so they can contribute to the future of the croft, township and to the whole system of crofting.

All crofters, both tenant and owner-occupiers, are required to comply with a number of statutory duties relating to residency and management of their crofts.

What are the duties of a crofter?

- A duty to be resident on, or within 32km of, their croft
- A duty not to misuse or neglect their croft
- A duty to cultivate and maintain their croft or put it to another purposeful use

Where a crofter fails to comply with their duties the Commission can investigate the breach of duty and take action if necessary.

What does 'cultivate' mean?

'Cultivate' includes keeping livestock, poultry or bees, growing fruit and vegetables, planting of trees, cropping and conservation activity. A croft can also be put to another purposeful use, with the consent of the landlord or Crofting Commission, such as a camping site, golf course or equestrian centre, but which will not prevent the croft from being used for cultivation in the future.

What should a crofter do if they are not fulfilling their duties?

If crofters are unable to comply with their duties there are a number of possibilities that can be considered such as:

Short term options

- Apply to the Commission to sublet the tenancy of the croft or, if an owner-occupier crofter, short term let the croft
- Apply to the Commission to be absent from the croft

Long term options

- Return to live on, or within 32km, of the croft
- Cultivate the croft or put it to another purposeful use
- Assign the tenancy of the croft, or transfer ownership of the croft.

Members of crofting communities can report crofters who they believe are not fulfilling their duties to the Commission. Visit www.crofting.scotland.gov.uk to find out more.

