

COMMON GRAZINGS CENSUS – FAQs

Why are we issuing the grazings census?

- The Crofting Reform (Scotland) Act 2010 (“the 2010 Act”) inserted a new Section 49A into the Crofters (Scotland) Act 1993 (“the 1993 Act”) requiring grazings committees to report every 5 years on the condition of their common grazings, the condition of every croft of tenant and owner-occupier crofters sharing in the grazings and on any other matter affecting the common grazings or crofting in any township associated with the grazings.

Where can the Grazings Census form be accessed?

- The grazings census forms will be made available on our website for Grazings Committees to complete and return to the Commission
www.crofting.scotland.gov.uk/common-grazings/common-grazings-census
Hard copies are available on request – 01463 663439 or email
GrazingCensus@crofting.scotland.gov.uk

How often will a grazings committee have to complete a census return?

- Every 5 years from the date of the first census being issued. The current census period is 2017 to 2022.

What is the Grazings ref no. requested in the “Your Details” section at page 2 of the Grazing Census form?

The Main Location Code of the Common Grazings e.g. 999/1234.

When the census asks for details of every croft sharing in the common grazings. Does “croft” mean every “registered croft” or every “holding” (i.e. not registered crofts) having a share in the common grazings?

- The census should include every croft (tenanted) and owner-occupied croft sharing in the grazing. To be included the croft should be registered in the Commission’s own Register of Crofts (ROC)

This would exclude any holding that is not a croft, but nevertheless shares in a common grazing.

What if a committee does not want to complete Part 2 of the form?

- This section need only be completed if a grazings committee consider a tenant and/or owner-occupier crofter shareholder is not complying with their legislative duties.
- It also allows a committee to highlight specific issues with individual crofts, apportionments and shareholders use of the common grazings.

What will happen if a committee complete Part 2 and identify that a tenant and/or owner-occupier crofter is not complying with their duties?

- The Commission are required under section 26A of the 1993 Act to investigate matters further where a committee reports that crofting duties are not being complied with in Part 2 of the form.
- The Commission will prioritise investigations initially in the townships which have the most pressing problems in line with resources available.
- In addition, section 26B of the 1993 Act allows the Commission to investigate potential breaches of duty of its own accord.

Would individuals know that it is through the grazings census information they have been identified as not complying with their duties?

- Where we investigate a reported breach of duty details will be copied to the crofter, owner-occupier crofter and croft landlord where applicable.
- Under Freedom of Information legislation, the form may also be copied to any other party who makes a written request for information subject to any redactions for information exempt from disclosure.

Why should a grazing committee complete and return the census?

- It is a legal requirement to do so. In addition, the Commission considers that the completion of the Grazings Census is best practice for Grazings Committees and they should make every effort to complete and submit the form within each 5 year period.

What is the information from the census going to be used for?

It is vital to the sustainability of crofting that accurate reporting contributes to developing future Government policies on crofting. The Commission would encourage all crofters and grazing committees to view these reporting duties as an opportunity to shape the future of crofting through completion of these reports.

The information will help to present a clear picture of the state of crofting to Ministers and the Scottish Parliament, raise the status of crofting and increasing the value placed on the contribution that crofting makes to life in Scotland.