



**CROFTING COMMISSION
COIMISEAN NA CROITEARACHD**

GRAZINGS CENSUS

The Crofting Reform (Scotland) Act 2010 imposed new requirements on 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.

The Grazings Census provides the opportunity for crofting communities to tell the Crofting Commission about issues that are concerning them so that action can be taken where necessary. The Grazings Census will help build up a picture of what is happening on common grazings land, which can be used to provide evidence and information on the value of crofting and how crofting contributes to Scotland's economy. The Grazings Census also provides a valuable cross check for the Annual Crofting Census, which the Commission can use when working with particular crofting communities.

In-office grazings committees can ensure that they are complying with their Duty to Report by completing the Grazings Census form available on our website **www.crofting.scotland.gov.uk/common-grazings**. Hard copies of the form are also available, please call 01463 663439 to request a copy. Large print copies are available on request.

We have consulted with crofters and crofting stakeholders to make the form as easy and simple to complete as possible. The final part of the form allows grazings committees to highlight specific concerns they may have about misuse, neglect or non-residency of crofts in the township. It is in the interest of crofting as a whole that these issues are addressed to ensure that croft land continues to be worked for the benefit of generations of crofters to come.

The Commission is keen to work with grazings committees to ensure useful information is provided, particularly if you wish the Commission to investigate any issues further. The Commission will normally only investigate matters further where you consider that crofting duties are not complied with and you report this as a specific problem in Part 2 of the form. However, section 26B of the Crofters (Scotland) Act 1993 allows the Commission to investigate potential breaches of duty of its own accord.

Please note, the information you provide may be made available under a Freedom of Information enquiry.

YOUR DETAILS

Name of common grazings:

Main Location Code:

Parish:

This form was completed by:

The grazings committee at a meeting held on (date)

by (name and position)

or

The grazings constable (name)

on (date)

PART 1

Please complete all sections.

1.1 Description of the condition of the common grazings

i Please describe the vegetative cover on your common grazings (tick all that apply)

- | | |
|--|--|
| <input type="checkbox"/> Heather hill | <input type="checkbox"/> Old improved grassland |
| <input type="checkbox"/> Machair cropped | <input type="checkbox"/> Machair grazed |
| <input type="checkbox"/> Woodland livestock grazed | <input type="checkbox"/> Woodland livestock excluded |
| <input type="checkbox"/> Scrub woodland | <input type="checkbox"/> Dense bracken cover |
| <input type="checkbox"/> Dense whins/gorse cover | <input type="checkbox"/> Not known |

ii Please indicate other types of features found on your common grazings (tick all that apply)

- | | |
|--|---|
| <input type="checkbox"/> Scree | <input type="checkbox"/> Rocky outcrops |
| <input type="checkbox"/> Water (lochs & courses) | <input type="checkbox"/> Not known |
| <input type="checkbox"/> Environmental designation or other protected features | |

iii Please describe the type of access available to and on your common grazings
(tick all that apply)

- | | |
|---|---|
| <input type="checkbox"/> Livestock and foot only | <input type="checkbox"/> Quad and livestock |
| <input type="checkbox"/> Tractor and 4x4 hill track | <input type="checkbox"/> Not known |

iv What percentage of shareholders use the common grazings?

- 100%
 75%
 50%
 25%
 0%

Any comments:

1.2 Description of the condition of every croft of a tenant or owner-occupier crofter sharing in the common grazings (including apportionments).

Please answer to the best of your knowledge.

i What percentage of the crofts in the township are used for crops? (Include silage and hay making)

100% 75% 50% 25% 0%

ii What percentage of the crofts in the township are being grazed? (Include by others officially or unofficially)

100% 75% 50% 25% 0%

iii How many crofts in the township are used for other purposes e.g. renewable energies, tourism or any other type of diversification activity?

0 1–3 4–9 10 plus

iv How many crofts in the township are not actively used?

0 1–3 4–9 10 plus

1.3 Residency on crofts

In your township, what percentage of crofters are ordinarily resident on their croft or within 32km of it?

100% More than 50%
 Less than 50% 0%

If there are specific issues that concern you, please use Part 2 to highlight these to the Commission.

PART 2

This section need only be completed if, as a grazings committee, you consider a tenant and/or owner-occupier crofter shareholder is not complying with their legislative duties.

This section allows you to highlight specific issues with individual crofts, apportionments and shareholders use of the common grazings. To enable the Commission to investigate further, please give us as much information as possible. The Commission will target any action in the townships which have the most pressing problems in line with resources available.

2.1 Residency Duty

The residency duty is applicable to both tenant and owner-occupier crofters and requires that they are ordinarily resident on, or within 32 kilometres (20 miles) of, their croft.

**We have identified that non-residency of the crofts is a problem in our township.
Please investigate the following:**

Croft Name	Register Number	Name of Crofter
<i>Years absent, if known:</i>	<i>Current address, if known:</i>	

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If you need more space, please use the spare page at the end of the Grazings Census.

2.2 Duty to Cultivate and Maintain or put to another Purposeful Use

The duty to cultivate and maintain your croft or put it to another purposeful use is applicable to both tenant and owner-occupier crofters. Cultivate includes keeping livestock, poultry or bees, growing fruit and vegetables, planting of trees, cropping and conservation activity. Maintain means that the croft must be kept in a fit state for cultivation which may involve drainage, control or eradicate vermin, bracken, whins, broom, rushes and harmful weeds.

A croft can also be put to another purposeful use 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. Please note a tenant crofter may only put the croft to another purposeful use with the consent of the landlord or by consent from the Crofting Commission if the landlord has refused consent.

We have identified that non-cultivation and non-maintenance of the crofts is a problem in our township. Please investigate the following:

Croft Name	Register Number	Name of Crofter
<i>Please describe the evidence of non-cultivation and non-maintenance of a croft:</i>		

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Croft Name	Register Number	Name of Crofter
<i>Please describe the evidence of non-cultivation and non-maintenance of a croft:</i>		

If you need more space, please use the spare page at the end of the Grazings Census.

2.3 Duty not to Misuse or Neglect

The duty not to misuse or neglect your croft is applicable to both tenant and owner-occupier crofters. Neglect is where the croft is not managed so as to meet the standards of Good Agricultural and Environmental Condition. For more information visit: www.ruralpayments.org

We have identified that misuse of crofts or common grazings is a problem in our township. Please investigate the following:

Croft Name	Register Number	Name of Crofter
<p><i>Please describe the misuse or neglect of common grazings:</i></p>		
<p><i>Please describe the misuse or neglect of a croft:</i></p>		

Croft Name	Register Number	Name of Crofter
<p><i>Please describe the misuse or neglect of common grazings:</i></p>		
<p><i>Please describe the misuse or neglect of a croft:</i></p>		

2.3 Duty not to Misuse or Neglect *continued*

Croft Name	Register Number	Name of Crofter
<p><i>Please describe the misuse or neglect of common grazings:</i></p>		
<p><i>Please describe the misuse or neglect of a croft:</i></p>		

If you need more space, please use the spare page at the end of the Grazings Census.

Please use this page if you need more space for answering any question.

Question Number	Answer

Please email your completed Grazings Census to GrazingCensus@crofting.scotland.gov.uk or send to Crofting Commission, Great Glen House, Leachkin Road, Inverness, IV3 8NW

PRIVACY NOTICE

The Crofting Commission acts as the 'Controller' of the personal data you provide us with when you complete the Grazings Census. Under the Crofters (Scotland) Act 1993 you are obliged to collect this information, and provide it to the Commission every five years.

Any data provided as part of the Grazings Census may be used, if appropriate, to investigate and enforce any Breach of Duty/Duties. It is for the use of the Crofting Commission but where we investigate a Breach of Duty/Duties, we may share the personal data with the Scottish Government's Rural Payments and Inspections Directorate and must, if you are a crofter and enforcement action is taken, provide the landlord of the croft with certain personal data. When used for statistical purposes, personal data will not be released.

The information will be stored in the Commission's Crofting Information System (CIS); we do not release this database to any other organisation for marketing purposes. We will not keep personal data for any longer than is necessary to complete the relevant processing and in line with our Retention Policy.

We would not usually release personal data you supply on the Grazings Census form if we receive a Freedom of Information Request for it, because we deem it of high importance to protect your personal information and because personal data is exempt from disclosure where such disclosure would contravene any of the data protection principles. However, every Freedom of Information request must be considered on a case-by-case basis.

It is important that the information we hold is accurate. Completing the Grazings Census helps us to keep information up-to-date. If you believe the information that we hold is not correct, please let us know.

For full details of the Crofting Commission's Privacy Policy, please visit our website at www.crofting.scotland.gov.uk/openness-and-customer-care.

If you wish to raise a complaint about how we have handled personal data, you can contact our Data Protection Officer who will investigate the matter. Our Data Protection Officer can be contacted by e-mailing DataProtection@crofting.gov.scot. Further details on the Crofting Commission's Data Protection Policy can be found at www.crofting.scotland.gov.uk/data-protection-act.

For information on submitting a complaint to the Crofting Commission, please visit our website at www.crofting.scotland.gov.uk/complaints. For details of how to complain to the Information Commissioner, please visit www.ico.org.uk.