

**LAND, PEOPLE AND GOVERNMENT IN NORTHERN SCOTLAND**

**AN EVALUATION OF CROFTING POLICY AS A TOOL FOR  
MAINTAINING THE WELFARE OF RURAL POPULATIONS  
IN MARGINAL AREAS**

**A REPORT PREPARED FOR THE CROFTERS COMMISSION BY**

**DR GORDON MACMILLAN PhD  
HONORARY RESEARCH FELLOW  
UNIVERSITY OF EDINBURGH**

*April 1996*

## TABLE OF CONTENTS

	Page No.
LIST OF TABLES	2
LIST OF FIGURES	3
ACKNOWLEDGMENTS AND DISCLAIMER	4
EXECUTIVE SUMMARY	5-7
1. Introduction to the study.	8-15
2. Demographic change in the crofting counties.	16-26
3. Comparison between a crofting and non-crofting parish.	27-36
4. What makes crofting communities thrive and how does policy contribute?	37-44
5. Evaluation and findings.	45-51
6. Recommendations.	52-55
7. Bibliography.	56-60
8. Appendices.	61

## LIST OF TABLES

	Page No.
1.1 Grant schemes available to crofters since the 1970s.	11
2.1 The crofting and non-crofting parishes selected for comparison.	20
2.2 Small parish comparison between crofting and non-crofting areas.	23
3.1 Demographic changes in Rogart and Cabrach 1851-1991.	28
3.2 The changing age structure of Rogart and Cabrach.	29
3.3 Number of households (average household size).	30
3.4 Changes in the number of land holdings.	30
4.1 Comparison of population changes in Lewis townships.	38
4.2 Total number of households (average household size).	39
4.3 Changing age structure 1891, 1958, 1996.	39
4.4 Total number of land holdings.	40

## LIST OF FIGURES

	Page No.
2.1 Parishes in which crofters account for 20% or more of total population.	19
2.2 Map showing the distribution of parishes for comparison between crofting and non-crofting areas.	21
2.3 Demographic changes between crofting and non-crofting parishes.	22
2.4 Map showing the location of the small parishes selected for comparison.	24
2.5 Results of the small parish comparison.	23
3.1 Population change in Rogart and Cabrach since 1851.	28
3.2 Demographic change in Kirkmichael and Rogart.	32
4.1 Demographic change in Garyvard and Lemreway.	38
5.1 Hypothetical example of demographic change in crofting and non-crofting areas if crofting policy had achieved its stated aims.	45
5.2 The merging of demographic trends between a crofting and non-crofting parish.	46

## ACKNOWLEDGMENTS AND DISCLAIMER

I would like to thank the following for their useful contributions to the production of this document:

*Shirley Allen, Keith Aitchison, Carola Bell, Graham Boyd, John Bryden, Alistair Cameron, Edna Cameron, Peter Cockhead, Mike Daw, Marina Dennis, Richard Erdern, Carol Fraser, Shona Fraser, Simon Fraser, Derek Flyn, Keith Graham, Mike Grantham, Shirley Hammond, Jim Hunter, George Houston, Joe Kerr, Alison Lindsay, Hayden Lorrimer, Janis Mailer, Sandy Mathers, John Murdo Matteson, Christopher Minty, Mary Morrison, Innes McDonald, Alistair McIver, Ian McIver, John MacKenzie, Catherine Maclean, Alison McLeary, Christina McLeod, Fraser MacLeod, Neil McLeod, Margaret MacMillan, Ishbel McPhail, Jennifer Patience, Andy Reid, Sandy Renfrew, Agnes Rennie, Frank Rennie, Bill Ritchie, Mary Ann Schurei, Bob Stewart, Edward Stuart, David Turnock, Drenan Watson, Jessie Watt, Andy Wells, Michael Wigan, Cathy Wood, Charles Withers*

The findings and views expressed in this document are those of the author and should not be taken as representing the opinions of The Crofters Commission necessarily. The author remains fully responsible for any errors.

## EXECUTIVE SUMMARY

### BACKGROUND

- E1.** In November 1995 the Crofters Commission contracted the author to report on the effectiveness of current crofting legislation as a tool for the Commission's main aims, particularly with regard to population retention and balance.
- E2.** The brief was to assess as far as possible, by comparison with similar areas, what is likely to have happened, had crofting legislation not been developed. It also asked for recommendations for improvements in crofting administration within the existing legislative framework, as well as recommendations for changes in the legislative framework that might be made, should the opportunity arise.
- E3.** Research was conducted from the Crofters Commission headquarters between January and March 1996. There were 3 principal components to the adopted methodology. First, a quantitative analysis of demographic trends in the crofting counties using secondary sources (see section 2). Second, primary data collection from fieldwork in specific locations to reveal the impact of policy in case-study areas (see sections 3 and 4). Third, a consultation exercise to canvass the views of relevant bodies and individuals on crofting policy and legislation (see section 5 and appendix E).
- E4.** Crofting legislation was first implemented in 1886. Despite major reviews in 1955 and 1976, its basic tenets remain unchanged. Crofting legislation provides crofters in the 7 crofting counties with secure tenure, fair rents and an inalienable right to bequeath croft land to a family member. Reforms introduced in 1976 granted crofters rights to buy their crofts.
- E5.** In 1955 the Crofters Commission was formed to regulate and develop crofting. It employs 50 staff, 7 part-time commissioners and a part-time chairman. It is funded by the Scottish Office at a cost of £1.4m per annum. Altogether £10m of public sector funds are spent on crofting each year through a variety of grant schemes administered by the Crofters Commission and the Scottish Office Agriculture, Environment and Fisheries Department (SOAEFD).
- E6.** Currently there are 17,671 registered crofts occupied by an estimated 11,000-11,500 crofting households with a total population of 33,350. Crofting households still account for over 20% of all households in 51 of the 161 parishes that constitute the crofting counties. The Outer Hebrides, North West Coast, and Shetland remain the strongholds of crofting.
- E7.** In common with the Highlands and Islands as a whole, the crofting counties have experienced sustained rural depopulation since the 1830s. Historically, outmigration has been closely linked to changing macro-economic circumstances. In the wake of the clearances, people continued to leave the land in search of employment. Following the Second World War these trends have slowed and reversed somewhat. Since the 1970s rural population has started to grow slightly due to a process known as 'counterurbanisation'.

## FINDINGS

- E8. Legislation has slowed the rate of rural depopulation. Since 1891 rural population densities in crofting parishes have remained consistently higher than rural population densities in comparable non-crofting areas. In the absence of crofting legislation it is probable that rural population densities in both areas would be similar (see section 2.3).
- E9. The same exercise indicates that rural depopulation has occurred at a similar rate in comparable crofting and non-crofting parishes since 1891. Although crofting legislation has limited rural depopulation, it has not prevented it (see section 2.4).
- E10. Crofting legislation has been very successful in preventing the amalgamation of landholdings. Sixty-one per cent of landholdings in Upland Grampian were amalgamated from 1951-1971. In comparison, the total stock of crofts throughout all of the crofting counties has diminished by only 10.4% from 1960-1994 (section 3.3.1).
- E11. The process of counterurbanisation is witnessed in both the crofting and non-crofting areas. Immigrants and return migrants are attracted to areas which offer good access to amenities, good infrastructure, a strong rural community, available land and housing, grants and incentives. Crofting legislation facilitates counterurbanisation in the crofting areas by maintaining a stock of landholdings and housing. Crofting policy also contributes by providing financial incentives.
- E12. Township surveys demonstrate that in the context of rural depopulation, crofting legislation has not prevented the concentration of landholdings as individual households accumulate multiple croft tenancies.
- E13. Analysis of the 1891 Valuation Roll in conjunction with contemporary fieldwork shows that there is a strong degree of continuity between land holdings and family names in crofting townships. Crofting legislation is primarily responsible for preserving these ties between indigenous families and the land as it allows crofters the right to bequeath their croft to a member of the family.
- E14. A number of factors underpin successful crofting communities and prevent rural depopulation. These include strong opportunities for generating income, good infrastructure and service provision, high rates of grant uptake and a strong degree of motivation by individuals within the community. Crofting policy has an influence on these factors through the provision of grants and the introduction of motivated individuals to townships through the Croft Entrants Scheme.
- E15. The relationship between population, land and employment in small townships can underpin cyclical demographic fluctuations in the medium term. These are successfully accommodated by crofting legislation and are increasingly addressed by policies like the CES.

E16. The provision of grants for housing improvements (CBGLS) and agricultural investments (CCAGS) are shown to be effective in keeping people on crofts. They influence the local economy in 2 ways; directly by reducing costs to the individual; and indirectly by stimulating demand in associated sectors of the local economy.

#### CONCLUSIONS

E17 Crofting policy has only had a limited impact on retaining population, principally because it has never sought to create jobs which are the most important determinant of migration.

E18 In the absence of crofting legislation, the crofting economy would have been replaced by a tenant farm economy. Land holdings in the crofting parishes would have been amalgamated at a much greater rate than that which has occurred, rates of rural depopulation from the crofting areas would have been higher and the population densities of crofting areas would be significantly lower than they currently are.

E19 In the absence of crofting legislation and policy counterurbanisation may not have occurred to the same degree in the crofting areas. Once land holdings have been amalgamated there are fewer opportunities available for people to return to rural areas which may prevent a process of counterurbanisation from occurring.

E20. Crofting legislation and policy has been paternalistic in its outlook which has fostered passivity among sectors of the crofting community. Decentralising decision making and offering crofters a greater chance to determine their own future through crofting trusts represents a positive counter to this tradition of paternalism.

#### RECOMMENDATIONS

E21. Crofting policy should strive to increase the opportunities for income generation in the crofting areas if it is to have a greater impact on population retention. It is recommended that the development aspect of crofting policy is strengthened by capturing financial resources from both the public (international) and private sector and by developing working partnerships with regional development bodies.

E22. Crofting policy has little control over the degree to which croft land is managed. Currently, croft land is often underutilised even though there is a growing demand for crofts. It is recommended that the Commissioners encourage the Secretary of State to invoke the statutory powers accorded to the Commission under section 28 of the Crofters (Scotland) Act 1993.

E23. The quality of information held on the Commission's Register of Crofts is of questionable accuracy. It is recommended that this data bank is improved and consideration is given to transferring it into a spatial format that is compatible with the National Register of Sasines.



- E24. The consultation exercise recorded widespread dissatisfaction with the 1976 Crofters (Scotland) Act. Concern relates to the ease with which land can be taken out of crofting and subsequently sold. It is recommended that a review group which could include representatives from the Crofters Commission, the Scottish Crofters Union, the Crofting Law Group, the Committee on Crofting Law and the Scottish Landowners Federation, considers this problem and, if deemed necessary, works towards drafting and promoting an appropriate solution to it.**
- E25. The Commission has limited control over the assignation of crofting tenancies. 80% of croft tenancies are transferred through family assignations over which the Commission has no influence. The Commission does have powers of veto over the 20% of croft tenancies which are transferred through non-family assignations. Should any appropriate opportunities arise, it is recommended that the Commission seeks greater legislative powers over the control of assignations.**

# 1 INTRODUCTION TO THE STUDY

## 1.1 THE DEVELOPMENT OF CROFTING POLICY

1.1.1 From the second half of the eighteenth century, the rural population was 'cleared' by landlords from many of the inland straths and glens which were turned over to sheep grazing. Those who did not emigrate rented smallholdings, often on the coast, called crofts which were insufficiently large or fertile to guarantee crofting households a purely agricultural livelihood. Thus, they were forced to find income from a number of sources, typically combining subsistence agriculture with for example, gathering kelp for the glass and soap industries, and fishing. In the context of continuing clearances, crofting livelihoods experienced 3 successive blows during the course of the nineteenth century: the collapse of the kelp market in the 1820s; the potato famine of the 1840s, and the decline in the herring industry from the 1880s. Each event stimulated evictions and mass emigration as crofters, who enjoyed no security of land tenure, fell into arrears on their rent payments. The issue became increasingly politicised in the wake of the 1881 Irish Land Act, prompting Gladstone to dispatch the Napier Commission in 1883 into a context of considerable social unrest to 'inquire into the condition of the crofters and cottars in the Highlands and Islands of Scotland'. Following an extensive investigation they advocated statutory intervention.

1.1.2 The Crofters Holding Act (Scotland) 1886, represents the first Government intervention in crofting livelihoods. It introduced an exceptional type of land tenure founded on the 3 principles of:

- a. secure tenure;
- b. fair rents and compensation for any improvements made;
- c. right to bequest the holding to one member of the family.

This system of tenure, which has changed little ever since, aimed to protect existing crofters' access to the land. Subsequent legislation provided for the repossession of land lost to crofting during the clearances, gave limited economic support for crofting livelihoods [both date from the 1897 Congested Districts (Scotland) Act], and introduced common grazing rights [1891 Crofters Common Grazings Regulation Act].

1.1.3 The area within which crofting legislation has been applied was defined in 1886 and has never changed. Crofting policy has always been restricted to the 161 parishes of the 7 crofting counties<sup>1</sup>; Argyll, Inverness, Ross and Cromarty, Sutherland, Caithness, Orkney and Shetland. Other parts of Scotland which contained smallholdings similar to crofts<sup>2</sup> and have experienced a similar socio-economic history (eg parts of upland Grampian) remain unaffected by crofting legislation. However, the Government did intervene to protect tenants with holdings of less than 50 acres in these areas under the 1911 Small Landholders (Scotland) Act. In effect this Scotland-wide legislation granted smallholders throughout the country security of tenure, but was not strong enough to prevent the merging of tenancies over the longer term.

---

<sup>1</sup> This represents about 10% of the agricultural area in Scotland.

<sup>2</sup> In fact these were called crofts before the 1886 Crofters Act was passed. Following the introduction of legislation, the legal definition of 'croft' was restricted to smallholdings in Crofting Counties.

1.1.4 In spite of the introduction of crofting legislation and notwithstanding considerable improvements in housing and public services, the population of the crofting counties continued to decline during the first half of the twentieth century and the land conflicts persisted in some areas. Knoydart in particular was the scene of land raids in 1948. Clearly, the existing legislation was not working as well as intended and in 1954 the Government, concerned about the prospect of regional demographic collapse, appointed the Taylor Commission to review the situation. Their report recommended a more intimate relationship between government and crofters and the Crofters (Scotland) Act of 1955 was passed, establishing the Crofters Commission as a suitable interface for achieving this intimacy. Subsequent legislation [Crofting Reform (Scotland) Act 1976], gave crofters rights to buy their croft at a nominal price for 15 times the annual rent, but prevented the direct creation of any wholly new crofts on hitherto non-croft land. In 1991, law made it possible for crofters to plant trees on common grazing land with the landowner's consent. All aspects of post war legislation were recently consolidated in the 1993 Crofters (Scotland) Act which affords the crofting population more legislative protection than is extended to any other sector of British rural society.

## 1.2 THE ADMINISTRATION OF POLICY

1.2.1 While there has been continuity in the development and refinement of crofting policy, there have been considerable changes in the institutions charged with its administration over the last century. The first Crofters Commission (1886-1911) was quite different in character and function from that existing today, administering land policy in conjunction with the Congested Districts Board (1897). Both bodies were then disbanded in 1911, and from 1912 to 1955 legislation both within and beyond the crofting counties was regulated by the same 2 statutory bodies: the Scottish Land Court and the Board of Agriculture for Scotland. The latter was particularly active in acquiring land for settlement (ie creating new smallholdings) from 1919 onwards<sup>1</sup>. Since 1955, it was decided that crofters would be best served if the administration of crofting policy was restored to a solitary body and so the Crofters Commission was reinstated.

1.2.2 The Crofters Commission is a non-departmental public body (NDPB) funded by the Scottish Office. It receives an annual budget of £1.4 million to execute the following statutory functions defined under the 1993 Crofters (Scotland) Act:

- to reorganise, develop and regulate crofting in the crofting counties of Scotland;
- to promote the interests of crofters;
- to keep under review all matters relating to crofting;
- to collaborate with other bodies in the economic development and social improvement of the crofting counties;

---

<sup>1</sup> These are the 'Department Estates' which are still under government management.

- to advise the Secretary of State, as necessary, on any matter relating to crofts and crofting conditions.

- 1.2.3** The Crofters Commission currently consists of 7 part-time Commissioners (though the legislation would permit up to 9 in all) and one part-time Chairman who live in the crofting counties and are active in the local crofting community. They meet at least 10 times a year to take executive decisions. They are supported by an administrative staff of 50 Civil Servants based in Inverness. Scottish Office Agriculture Environment Fisheries Department (SOAEFD) professional staff also work in an advisory capacity to the Commission and act as local agents in the crofting counties. The Commission also relies on local knowledge provided by 112 voluntary agents called Assessors who are nominated by township grazing committees. The panel of Assessors includes Liaison Officers nominated by the Scottish Crofters Union (SCU) and the National Farmers Union of Scotland (NFUS). This network provides a 2-way channel of communication between the crofting community and the Commission.
- 1.2.4** The day to day work of the Crofters Commission can be divided into 2 principal areas - the regulation of crofting in terms of the legislation and development activity. Regulatory functions include: considering applications from crofters for subletting, assigning, bequeathing or sub-dividing tenancies; considering applications for decrofting land; overseeing the management of common grazings; considering applications for apportionment of common grazing land into individual plots; and maintaining a Register of Crofts. These are administered in accordance with the legal framework and the policy set by Commissioners. On the development side, the Commission administers the Crofting Counties Agricultural Grants Scheme (CCAGS) on behalf of the Secretary of State for Scotland (£3m per annum), and the Croft Township Development Scheme (£0.3m) which is part funded by the EC under 'Objective One' status. In addition, the Commission has recently established 'Croft Entrant Schemes' in conjunction with the Local Enterprise Companies active in crofting counties. The Schemes aim to encourage absentees and elderly crofters to let their land to younger, potentially more active people.
- 1.2.5** Crofters are also supported by a gamut of other government initiatives which are listed in Table 1.1. The Crofters Building Grants and Loan Scheme (CBGLS) totaling £5 million and the Highlands and Islands Livestock Schemes (£0.5m), both administered by SOAEFD, are amongst the most significant. Even so, crofters are eligible for grants under a total of about 40 different schemes, many of which are also for farmers. All told, approximately £20m of support is disbursed each year in the crofting counties of which £10m. is from the British Government and the remainder from the EC LEADER II Programme which represents structural funds allocated under Objective I status (accorded in 1993).
- 1.2.6** While crofting livelihoods undoubtedly experience a high degree of economic support from Government, 3 points are worth bearing in mind when interpreting these figures<sup>1</sup>: First, crofting agriculture receives less than 2% of national expenditure on farming

---

<sup>1</sup> After Rennie 1996.

**TABLE 1.1**

(Bryden 1987). Second, the pluriactive nature of crofting livelihoods ensures that subsidies and grants probably account for no more than 10% of net income in the crofting communities. Finally, a considerable local multiplier effect associated with small-scale, fragile economies guarantees significant knock-on benefits from initial state investments<sup>1</sup>.

### 1.3 INTRODUCTION TO CROFTING LIVELIHOODS

- 1.3.1 The legal definition of crofts is complex. They are typically, but by no means exclusively, holdings of less than 30 hectares of inbye land, or holdings with an annual rent not greater than £100, situated within the crofting counties. At the start of 1996 there were 17,671 crofts registered with the Crofters Commission of which 14,499 were tenanted crofts. The remaining 3,172 were owner-occupied, having been bought out by their owners following the Crofting Reform Act of 1976. Crofters manage a total area of 773,000 hectares, two-thirds of which (500,000 ha) is common grazing. Although land can be taken in to crofting through the extension of existing crofts if the landlord is willing, over the past 30 years the overall area under crofting tenure has diminished slightly (by 4%). Land losses are principally due to resumption by landlords for non-agricultural purposes deemed to be in the public interest, and decrofting, often by crofter/owners. Thus, crofting policy has been largely effective in preserving a stock of smallholdings in the crofting counties.
- 1.3.2 Although there are 17,671 crofts, this does not mean that there are as many crofting households, because it is not uncommon for one household to have tenancy rights over more than one holding. Estimates from analysis of agricultural returns (St Andrew's Economic Consultants 1995) indicate that on average each crofter works 1.5 holdings, suggesting that there are somewhere between 11,000-11,500 crofting households. The Crofters Commission estimate that crofting households still represent about 30% of all households in the landward areas of the crofting counties, and probably account for more than 65% in areas like the Western Isles and Skye, even though the total number of crofting households has declined by roughly 23% over the last 30 years<sup>2</sup>.
- 1.3.3 While the crofters have a government funded body charged with promoting and protecting their interests, they have also established their own union. The Scottish Crofters Union, which grew out of an earlier federation of crofters, was founded in 1985 and has a membership of 4,000. It estimates that this represents 40-50% of active crofting households (the Union believes there are in the region of 9,000-10,000 crofting households). In addition to promoting crofting through lobbying, it aids crofters with insurance, legal issues, grant applications and by providing technical assistance.
- 1.3.4 The economic contribution made by crofters is significant and is proportionally greater than the land area they occupy. For while crofters manage about 25% of the total agricultural land in the crofting counties, they (together with other smallholders in the area) own an estimated 49% of all breeding ewes and 23% of all hill cows in this

---

<sup>1</sup> Shucksmith and Alexander (1994) illustrate this in their review of the CBGLS. They conclude that every pound spent of public investment in CBGLS crofter housing support creates two pounds of overall investment in the wider construction industry.

<sup>2</sup> From the Commission document "Crofting in the '90s".

region. In addition, crofters account for at least 28% of the region's agricultural labour force<sup>1</sup>.

- 1.3.5 Even so, not all crofts are either worked or occupied. Commission records indicate there are 1,561 absentee crofters (defined as those living more than 10 miles from the holding as the crow flies). The Arkleton Trust (1990) estimates that there are probably only 8-12,000 crofts being fully worked at the moment. This fits with information gleaned from analysing agricultural returns (St Andrews Economic Consultants 1995) as only 11,200 crofts made agricultural returns in 1994. Given that a proportion of the 11,200 returns will have been made by the same households, and here it should be recalled that on average each crofter manages 1.5 crofts, then the total number of agriculturally active crofting households is likely to be considerably lower. Perhaps in the region of 7,500.
- 1.3.6 Crofting has never been a purely agricultural activity. Crofters typically combine part-time agriculture with other income-generating activities in what are increasingly perceived to be sustainable livelihood strategies. Cash incomes traditionally derived from weaving, fishing and employment on Highland estates are now also acquired from tourism, catering, crafts, forestry and fish-farming. In areas of population growth, new economic opportunities are also being generated in the service sectors of transport, health, education and information technology. Despite these opportunities and grant support, crofting incomes remain low. A survey of 65 crofts commissioned by the Scottish Crofters Union in 1989 indicated that occupier incomes for crofting households (ie crofter + spouse) averaged £8,489 pa, of which £332 was generated on the croft, £5,226 outwith the croft, and the remaining £2,765 (33%) was unearned income<sup>2</sup>.
- 1.3.7 Being an extensive productive activity in an area of considerable natural interest, crofting agriculture is upheld as an environmentally friendly land-use system. Good crofting practice promotes biodiversity by creating a mosaic of habitat types and by using a minimum of chemical inputs. The crofting counties have remained one of the least polluted areas in Europe which currently provide the ultimate reserve for one of Britain's rarest birds; the Corncrake (*Crex Crex*). The area also contains internationally significant marine and terrestrial (machair, blanket bogs and remnants of Caledonian pine forest) habitats along with nationally and internationally important geological sites. Even so, crofting agriculture does have environmental consequences which are closely related to the impact of sheep production in different habitats. On the one hand, low intensity mixed stock grazing and rotational cropping of the machair has been shown to enhance the biodiversity of that habitat. While on the other, the increasing emphasis on monocultural sheep production has thwarted the regeneration of native woodland vegetation for over a century (over grazing by deer has also contributed). Clearly, stocking rates are the deciding factor here, but it is worth recalling the important role played by agricultural subsidies which have encouraged the shift towards monocultural production. Although other influences undoubtedly play an important role in these processes<sup>3</sup>, land-use in the Highlands and Islands

---

<sup>1</sup> Bryden, J. and Houston, G. (1976).

<sup>2</sup> Kinloch and Dalton (1990).

<sup>3</sup> Other factors which probably encouraged the shift from cattle cropping to sheep include a reduced involvement of women in croft work together with changing work practices for men. Sheep production can be more easily worked alongside the inflexible hours of modern jobs, than cattle production.

remains highly responsive to the fiscal policies of the EC and the British Government, which to a large extent define the environmental consequences of crofting agriculture.

- 1.3.8 The crofting way of life has an intrinsic value which is an important component of British cultural heritage. Crofting communities are frequently underpinned by strong kinship ties and island townships remain the preserve of the Gaelic and Norse cultures, both of which are currently experiencing something of a revival. In more recent years, crofting has proved attractive to other sectors of society in search of a better quality of life.

#### 1.4 BACKGROUND TO THE STUDY

- 1.4.1 This study was funded by the Crofters Commission in 1995 to investigate the extent to which current crofting policy and legislation has been effective in achieving the Commission's main objective which is to 'promote a thriving crofting community'. The research brief called for an investigation into the effectiveness of crofting legislation as a tool for achieving the Commission's main aims, particularly with regard to population retention and balance, and to assess as far as possible, by comparison with similar areas, what is likely to have happened had crofting legislation not been implemented. Further, it invited recommendations for improvements in crofting administration within the existing legislative framework, together with any changes in the legislative framework should the opportunity arise.
- 1.4.2 The study adopts a comparative methodology to evaluate the impact of crofting legislation on population change in the crofting counties. By measuring the number of crofters as a percentage of total population, the research identifies and distinguishes 'crofting parishes (ie those parishes in which crofters represent a high proportion of the total population) from 'non-crofting parishes'. It then compares the observed demographic trends in each of the 2 sub-sets since before the introduction of legislation. Placing the observed demographic trends in their historical context with the aid of fieldwork at a township level, the influence of legislation can be revealed and distinguished from other processes at work.
- 1.4.3 While the demographic analysis constitutes the core of the research, a number of other issues are also explored. The notion of a 'thriving crofting community' demands analysis of changes in the economic welfare of the crofting communities, as well as an evaluation of the cultural welfare of those communities. Furthermore, it is relevant to understand, from the perspective of the crofters themselves, which aspects of contemporary policy and legislation are perceived to favour their interests, and which aspects do not. In this way some suggestions can be made about fine-tuning crofting policy and the manner in which it is applied.
- 1.4.4 It is an interesting time to be undertaking such a study. Having experienced 150 years of decline, crofting is currently on something of an upswing. The activity has also started to attract considerable attention from both domestic and international policy-makers concerned with the promotion of sustainable livelihood strategies. Further, the crofting community itself is developing new vehicles for resource - management at a community level with the creation of crofting trusts, allowing crofters to become shareholders in a company which is in turn their landlord. Initiatives such as the Assynt Crofters Trust have set a precedent which other communities have followed.



Recently the Secretary of State for Scotland announced his proposals for turning Government owned crofting estates over to community ownership. Within such a dynamic context it is likely that new legal and administrative initiatives will need to be developed to ensure that policy and the law remain relevant to the current opportunities for crofting.

**1.4.5** This report is in 8 sections. Following this introductory discussion, section 2 examines the principal demographic trends in the crofting counties and presents a comparative analysis of population changes in crofting and non crofting parishes since 1851. These observations are then explored through 2 case studies which are discussed in sections 3 and 4. The first case study seeks to uncover the significance of crofting legislation by taking a detailed look at the socio-economic changes in a crofting parish and comparing them with changes in a similar non-crofting parish. The second case study (in section 4) considers the development role of policy by looking at 2 crofting townships to explore what factors have underpinned the relative prosperity of one and the comparative stagnation of the other. All of this information is evaluated in section 5 which draws out the principal findings of the analyses and assesses the impact of crofting policy. Section 6 then sets out recommendations to the Commission for policy changes which could be made within the context of existing legislation as well as amendments to the legislation itself. This constitutes the main body of the report. Bibliography (section 7) and appendices (section 8) follow.

## 2 DEMOGRAPHIC CHANGE IN THE CROFTING COUNTIES

### 2.1 AN OVERVIEW OF REGIONAL DEMOGRAPHIC CHANGE

- 2.1.1 The population of the Highlands and Islands peaked in the early to mid-nineteenth century at a level that could not be sustained. Smallpox, periodic crop failure, and inter clan feuding<sup>1</sup> had been largely eliminated, (the latter in the wake of the 1745 uprising), and increasing rural population densities were underpinned by the widespread adoption of a new staple - the potato. The subsequent rural population decline, which persisted for more than 150 years, was fuelled by a series of economic and social catastrophes; the collapse of the kelp industry in the 1820s, the 1832-37 harvest failure, the 1846-51 potato famine, the demise of the herring fisheries from the mid 1880s, as well as further clearances. By the 1891 census, 5 years after crofting legislation was first implemented, regional population had fallen to 200,840 from an 1851 total of 228,000, a 13% decline over 40 years.
- 2.1.2 In spite of government intervention to protect smallholder's security of land-tenure, the population of the Highlands and Islands continued to decline throughout the first half of the twentieth century at much the same rate. During the 60 year period, 1891-1951, regional population fell by 19.5% from 200,800 to 161,700, while the Scottish population as a whole continued to rise. The trends are starkly witnessed in the crofting counties. Having accounted for 13.7% of national population in 1851, their demographic contribution to the Scottish total shrank from 7.9% in 1901 to 5.6% in 1951. Although this was a period of considerable land settlement (particularly during the 1920s), any increases in the regional population stimulated by these government initiatives were more than offset by the demographic impacts of 2 world wars and prolonged regional economic stagnation. The only encouraging trend in an otherwise depressing scenario, was that population decline in the Highlands and Islands, which had persisted for over 150 years, showed signs of 'bottoming out' between 1939 and 1951.
- 2.1.3 There has been a steady increase in the total regional population since 1961, though growth rates have not been evenly distributed. Throughout the 1960s and 70s the population of urban centres expanded as industrial growth, often stimulated by government initiatives, attracted a migrant professional workforce into the burghal parishes. The East coast, Orkney and Shetland oil industry, the Dounreay nuclear power plant, the Fort William aluminium smelter and paper plant all represent significant developments. However, rural areas continued to experience population decline due to outmigration, despite having rates of natural increase which were almost double the national average. While low personal incomes were the overwhelming reason for leaving, migration studies disproved a strong causal link between urban growth and rural outmigration within the region (Style 1975). This is because the new enterprises drew much of their workforce from outside the Highlands and Islands. Thus, many of the economic migrants who left rural areas continued a well-established tradition by moving to Glasgow, Edinburgh, London or overseas.
- 2.1.4 It is only since the 1970s that the rural population of the Highlands and Islands has started to increase as a result of 'counterurbanisation'<sup>2</sup>. The geographical spread of

<sup>1</sup> Although, inter clan warfare was undoubtedly bloody, it did not account for a great number of deaths.

<sup>2</sup> For a comprehensive review of regional studies on counterurbanisation see Maclean (1995).

this process has been variable. On the whole immigrants have been attracted to areas with good infrastructure and service provision, while remoter landward communities have continued to shed population. Even so, the influx is impressive in its dimensions; although natural increase in the region was only 1.6% from 1971-1981, total population grew by 8.7% over the same period to give a current total of 325,511 living in the crofting counties. Much of this population growth has occurred in outlying rural areas which were scarcely influenced by the oil economy. Equally surprising, the majority of incoming migrants are young and economically active, a study of 367 immigrant households in the Highlands which was conducted by Jones et al. (1984) indicates that only 11% of all migrants were over 60<sup>1</sup>. While this influx of young professionals has done much to rejuvenate rural areas, the same process has brought about significant changes in the social composition of certain townships. In extreme cases, like some of the Orkney communities, a dual society has developed where middle-class in-migrants sit juxtaposed with a native subpopulation that is ageing and in decline (Forsythe 1980).

2.1.5 In summary, this brief history demonstrates the overriding significance of migration, (not rates of natural increase) in shaping regional demographic processes. This has been pointed out repeatedly by Lumb, who is perhaps the most prolific writer on regional demographic change: 'migration [in the Highlands and Islands]...is not deviant, but normative behaviour'. She notes quite clearly that, since the clearances at least, the single most important factor that influences population movements in the Highlands and Islands is the search for jobs. Thus, the historical evidence suggests that any policy seeking to retain a rural population must confront the issue of employment; a task that often involves confronting broader macro-economic processes which operate at a regional and national scale.

## 2.2 ANALYSING DEMOGRAPHIC CHANGE IN CROFTING COMMUNITIES

2.2.1 To evaluate whether or not crofting legislation has been successful in retaining a healthy rural population, demographic trends of the principal crofting parishes were compared with those of non-crofting parishes with similar characteristics. A database was created using the small area statistics produced by the National Census. The total population of each of the 161 parishes that constitute the crofting counties was collated for 1851, 1891, 1911, 1931, 1951, 1961, 1971, 1981, 1991. Where relevant, pre-1951 data was taken from the tables presented in Fraser Darling's West Highland Survey which have been adjusted to take account of historical changes in parish boundaries.

2.2.2 Crofting parishes were distinguished from non-crofting parishes in the crofting counties by estimating the percentage of total population in any given parish that is constituted by crofters. The exercise was complex as accurate data is not available for the number of crofters. The information presented in section 1.3.2 and 1.3.5 indicate that there are approximately 11,200 crofting households throughout the crofting counties. In the absence of hard data, this represents the best estimate that is currently available<sup>2</sup>. Multiplying this by 2.98 which is the average number of people in crofting

---

<sup>1</sup> The study covered the 6 areas of NW Skye, Gairloch, Lochinver, N.Mull, Strathglass and Rothiemurchus.

<sup>2</sup> Although the Crofters Commission holds a computerised Register of Crofts, multiple ownership of holdings prevent an accurate calculation of the number of crofting households from the total number of registered crofts. Multiple holdings are themselves difficult to identify from the Register because they are usually recorded under

households (taken from a random survey of 597 crofters in 1994 by Piedad), we arrive at an estimated total croft based population of 33,350 (defined as total residents of registered croft houses).

**2.2.3** The number of registered crofts in each listed parish was in turn multiplied by 0.63, a fraction which is derived by dividing the estimated number of crofting households in all the crofting counties by the total number of crofts in all the crofting counties (11,200/17,671). This gives a figure for the number of crofting households in that parish, having discounted the effect of multiple tenancies, absentees, sublets and various family arrangements. The crofting population of the parish was then calculated by multiplying the same figure by the mean size of crofting households (2.98).

**2.2.4** On the basis of these calculations, all of the 161 parishes which constitute the crofting counties were ranked according to the percentage of total population represented by crofters. The exercise identified 21 parishes in which crofters represented over half of the total population; 51 parishes in which they accounted for over 20%, and 70 parishes in which they accounted for over 10% of total parish population. The ranking is presented in Appendix A section (i).

**2.2.5** Figure 2.1 maps the distribution of the 51 parishes in which the estimated crofting population represents more than 20% of the total population. The distribution is largely what we would expect to see. The Outer Hebrides, North West Coast and Shetland remain the stronghold of crofting. Parishes situated in the Eastern and Southern (Argyll) fringes of the crofting counties do not have such a strong crofting tradition.

### **2.3 ANALYSIS OF DATA AT A PARISH LEVEL**

**2.3.1** There are problems associated with analysing the impact of crofting legislation through comparisons at a parish level. Because the distribution of crofts mirrors broader trends in the structure of the Highland economy, any straightforward comparison between crofting and non-crofting parishes will probably reveal more about the differences between the East and West coast economies than it does about crofting legislation. There is also tremendous diversity in land use, society and economic activity both between and within parishes, all of which influence the analysis. Urban settlements, for example, can certainly distort, if not mask altogether, processes associated with the rural economy. For these reasons it was inappropriate to analyse these datasets using inferential statistical techniques.

**2.3.2** The ranking of crofting parishes was used to distinguish crofting from non-crofting parishes so that appropriate comparisons could be made. As the focus of the study is on rural processes it was important to discount urban parishes from the analysis at the outset. Therefore, parishes with population centres containing more than 5,000 inhabitants were excluded from the list of ranked parishes. The 50 parishes which remained at the top of the ranked list were then taken to represent the principal crofting parishes, whilst the remaining bottom 50 were identified as the main non-crofting parishes. These 2 groups are listed in section (ii) of Appendix A.

---

the names of different members of the same family, and large numbers of people in any given township share the same name.

**FIGURE 2.1**

2.3.3 In order to obtain good comparative analysis, attention focused on 16 pairs of parishes which are roughly similar in terms of their land area, economic influences and geography, but which differ markedly in the number of crofts they contain. They are listed in Table 2.1 and marked on Figure 2.2 (crofting parishes are in black, non-crofting parishes are striped). The map (Figure 2.2) illustrates that the parishes cover a wide geographical area so that distortions associated with simple East Coast/West Coast or West Coast/Outer Hebrides comparisons, are avoided. Altogether the 16 crofting parishes cover a total of 443,716 hectares and contain 5,656 registered crofts in 1991. The non-crofting parishes cover a similar land area (440,248 hectares) and contain only 178 registered crofts.

TABLE 2.1 THE CROFTING AND NON-CROFTING PARISHES SELECTED FOR COMPARISON

Crofting Parish	Area (Ha)	No. crofts	Non-Crofting Parish	Area (Ha)	No. crofts
Uig	61,791	660	Contin	62,270	17
Harris	51,319	559	Glenorchy & Inishail	53,978	16
Lochs	49,178	578	Urquhart & Glenmoriston	52,095	24
Lochcarron	43,498	135	Moy & Dalarossie	43,190	2
Bracadale	37,857	179	South Knapdale	36,435	2
Barvas	36,415	1018	Kilarow & Kilmeny	36,990	7
Ardnamurchan	34,464	202	Morven	34,263	3
Duirnish	32,102	357	Torosay	32,325	10
Snizort	20,607	297	Inveraray	19,968	0
Sleat	17,339	268	Kilean & Kilchenzie	19,130	0
Walls & Sandness	11,362	269	Southend	13,196	0
Unst	10,923	304	R/E & W/F <sup>1</sup>	9,149	35
Tiree	8,189	273	Kilchoman	9,012	42
Canisbay	7,952	146	Coll	7,723	8
Barra	7,947	441	Strachur	7,707	9
Eday	2,773	25	Shapinsay	2,817	4
<b>TOTAL</b>	<b>433,716</b>	<b>5,656</b>	<b>TOTAL</b>	<b>440,248</b>	<b>178</b>

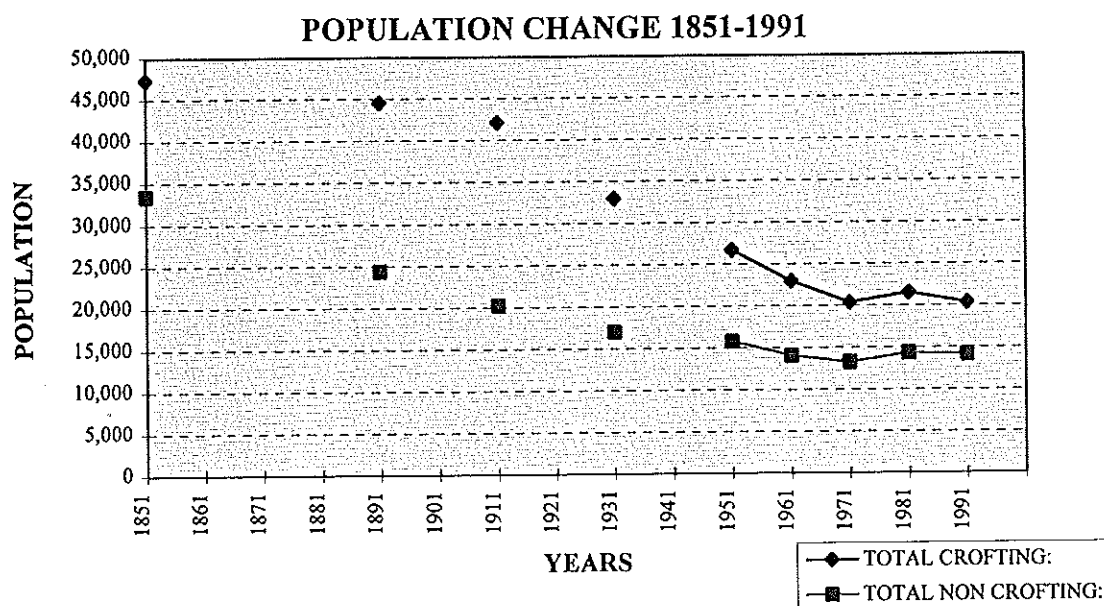
2.3.4 Graphs of population change were plotted for each of these parish comparisons and are presented in Appendix B. While there is a considerable degree of variation between the individual graphs, which is largely due to the influences of local factors<sup>2</sup>, a number of general points can nonetheless be made. The overall impression is that many of these crofting parishes had higher populations than comparable non-crofting parishes in the second half of the last century, but have since lost population at rate similar to or slightly greater than that of the non-crofting parishes. In most cases population decline tends to have stabilised post 1970 with the crofting parishes typically retaining higher population densities than the non-crofting parishes. This trend is clearly seen in 11 of the 16 individual parish to parish comparisons (which are presented in section (i) of Appendix B, as well as in the chart of aggregated data which is presented below (Figure 2.3).

<sup>1</sup> This is aggregated data for two Shetland parishes: Rousay and Eglisay together with Walls and Flotta.

<sup>2</sup> Like the increase in population in the Outer Hebrides parishes up until 1911, which is associated with the herring fisheries.

**FIGURE 2.2**

**FIGURE 2.3 DEMOGRAPHIC CHANGES BETWEEN CROFTING AND NON CROFTING PARISHES**



2.3.5 While the trend noted and illustrated above (in section 2.3.4 and Figure 2.3) is dominant, a second pattern can be seen in 5 of the 16 comparisons that were made (these are presented in section (ii) of Appendix B)<sup>1</sup>. In these cases there is virtually no difference between the demographic curves of the crofting parishes and non-crofting parishes. These are cases in which the crofting parish and the non-crofting parish with which it is being compared had similar populations at the end of the last century. As both have lost population at the same rate, there is very little difference between their total populations either at the start of, during, or at the end of, the period under study. One interesting point is that this phenomena can be witnessed between parishes which are geographically distant from one another, and is even visible between island/mainland comparisons. Five relevant comparative graphs which further illustrate this point have been included in section (iii) of Appendix B.

## 2.4 SMALL PARISH COMPARISON OF CROFTING AND NON-CROFTING AREAS

2.4.1 To get a clearer picture of the dominant trend which was noted in section 2.3.4, it is necessary to strip away as many extraneous factors as possible which might cloud the focus of the study. In large parishes like some of those analysed above (Uig and Contin), a variety of economic influences and land uses can mask the very specific distinction that is being sought between population changes in agricultural communities which have been strongly influenced by crofting policy, and those which have not. In order to get the best possible comparative analysis at a parish level, a series of relatively small parishes were identified. These are comparable in terms of land area, economic influences and the size of population before the introduction of crofting legislation, but differ markedly in both their location and in the number of crofts they contain. Through this analysis we can obtain the clearest possible view of the process under investigation; namely the impact of crofting legislation on demography. Table 2.2 presents data on the size, population changes, and number of

<sup>1</sup> This is particularly noticeable in the Tiree/ Kilchoman comparison.



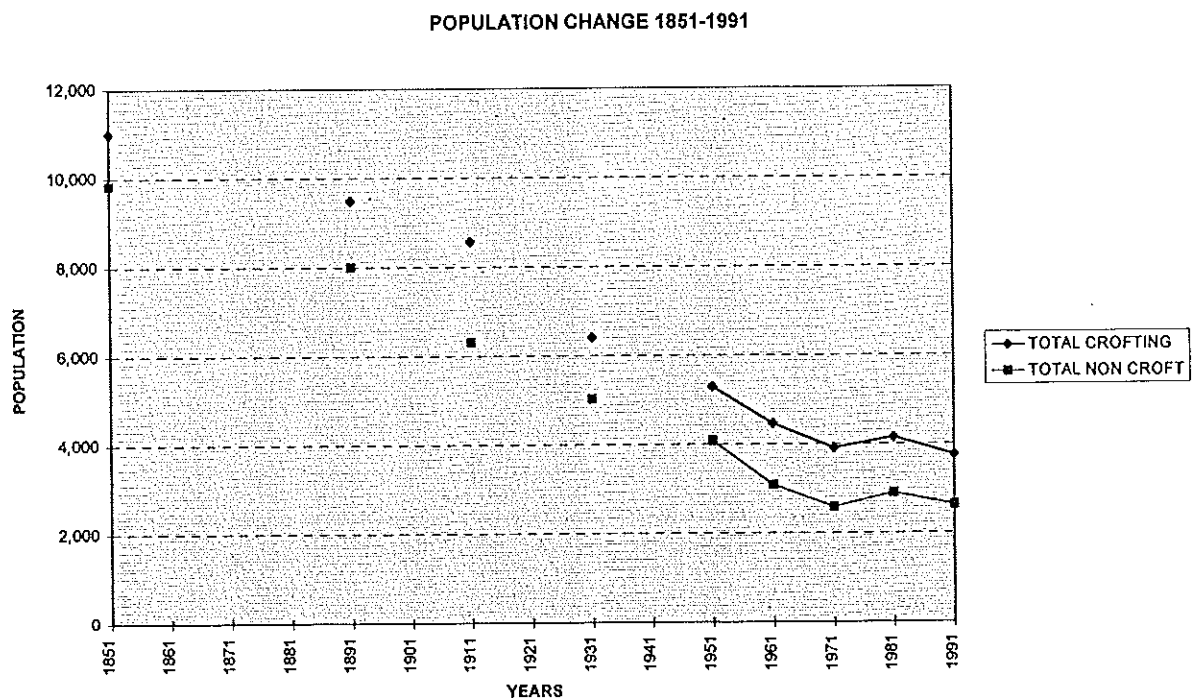
crofts for each parish while the accompanying map (Figure 2.4) illustrates their location.

**TABLE 2.2 SMALL PARISH COMPARISON BETWEEN CROFTING AND NON-CROFTING AREAS**

COMPARISON OF CROFTING PARISHES 1851-1991												
	CROFTS 1960	CROFTS 1994	AREA (ha)	1851	1891	1911	1931	1951	1961	1971	1981	1991
BARRA	448	441	7,947	1,873	2,365	2,620	2,250	1,884	1,467	1,088	1,339	1,282
UNST	310	304	10,923	2,977	2,280	2,077	1,341	1,112	1,151	1,127	1,209	1,026
TIRREE	280	273	8,189	3,709	2,452	1,825	1,451	1,219	996	875	783	837
CANISBAY	183	146	7,952	2,437	2,392	2,051	1,365	1,080	846	819	819	602
<b>TOTAL CROFTING</b>	<b>1221</b>	<b>1164</b>	<b>35,011</b>	<b>10,996</b>	<b>9,489</b>	<b>8,573</b>	<b>6,407</b>	<b>5,295</b>	<b>4,460</b>	<b>3,909</b>	<b>4,150</b>	<b>3,747</b>
KILCHOMAN	84	42	9,012	4,142	2,697	2,087	1,500	1,081	908	764	763	706
R/E & W/F	45	35	9,149	2,882	2,738	1,957	1,712	1,531	926	710	1,022	805
COLL	11	8	7,723	1,109	522	389	322	210	147	144	153	174
KILFINAN	2	1	9,635	1,695	2,054	1,869	1,489	1,253	1,096	967	956	945
<b>TOTAL NON CROFTING</b>	<b>142</b>	<b>86</b>	<b>35,519</b>	<b>9,828</b>	<b>8,011</b>	<b>6,302</b>	<b>5,023</b>	<b>4,075</b>	<b>3,077</b>	<b>2,585</b>	<b>2,894</b>	<b>2,630</b>

2.4.2 The aggregated data demonstrates how population changes have varied between 2 areas of similar size (roughly 35,000 hectares) which differ considerably in the number of crofts they contain (1,164 against 86). The aggregated data is illustrated in the following Figure 2.5, while comparisons between individual parishes are presented in Appendix C.

**FIGURE 2.5 RESULTS OF THE SMALL PARISH COMPARISON**



**FIGURE 2.4**

2.4.3 There are 4 main observations that can be made for both this analysis as well as for the much broader analysis conducted in section 2.3 above. They are listed below. These observations are the clearest indication we have of the impact of crofting legislation on demography. The fact that they are clearly visible at both a macro and micro level, suggests that they are not restricted to the limited area encompassed by the small parish comparison, but apply throughout the crofting counties. Even so, it is important to remember that all socio-economic processes operate at different levels of intensity in different circumstances according to local factors. This is precisely why we see such high degrees of variation in the individual parish to parish comparative graphs (displayed in the Appendices B and C). Thus, even though the following observations can be made about the impact of crofting legislation on demography, the precise scale of these impacts on any particular place is influenced by local factors.

- Population densities within the sample of crofting parishes have typically remained higher than those in comparable non-crofting parishes since 1851. Indeed in both analyses (this one and the one in section 2.3), the crofting parishes have retained population densities approximately 25% higher than those existing in comparative non-crofting areas.
- As rural depopulation has declined in both crofting and non-crofting areas, the crofting parishes have come to account for a slightly higher percentage of total population than they did in the last century. In this small parish analysis 53% of the total 1851 population (20,824 people) resided in the crofting parishes, by 1991 their share of total population (6,377) had increased to 58%.
- The crofting parishes have experienced the same rates of demographic decline as the non-crofting parishes over the past 150 years. Both have lost population at roughly the same rate from 1851-1991.
- Total population in both the crofting and non-crofting parishes rose slightly during the 1970s and has largely stabilised during the 1980s. This probably reflects the process of 'counterurbanisation' noted in section 2.1.4.

2.4.4 In this section the demographic trends experienced by crofting and non-crofting parishes since the introduction of crofting legislation have been observed and documented. However, the causal links between demographic change and crofting legislation and policy have neither been discussed nor confirmed. This provides the subject matter for the case studies presented in the following 2 sections of the report. Although it is hard to disassociate the impact of legislation from that of policy, the emphasis in section 3 is on the former while the emphasis in section 4 is on the latter. Having explored the mechanisms through which crofting legislation and policy come to influence events at a local level, the impact of policy can be evaluated.

## **SUMMARY OF MAIN POINTS**

- **Historically, migration, not rates of natural increase, has been the principal determinant of total population in the Highlands.**
- **Economic forces, most obviously the search for incomes, has been the main factor driving migration.**

- It is estimated that in 51 out of the 161 parishes that constitute the crofting counties, crofters represent more than 20% of total parish population. Crofting strongholds are still the Outer Hebrides, Skye, the North West and Shetland.
- Crofting legislation has helped maintain higher rural population densities in the crofting strongholds than in comparable areas under non-crofting agriculture.
- Crofting legislation has not prevented rural depopulation from occurring at a similar rate in comparable crofting and non-crofting areas.
- Total population in both the crofting and non-crofting parishes has risen slightly since the 1970s as a result of counterurbanisation.
- As rural depopulation has declined in both crofting and non-crofting areas, the crofting parishes have come to account for a slightly higher percentage of total population than they did in the last century.

### 3 COMPARISON BETWEEN A CROFTING AND A NON-CROFTING PARISH

#### 3.1 BACKGROUND TO THE STUDY

##### 3.1.1 Methodology

This study examines the impact of crofting legislation by comparing the principal socio-economic changes in a parish which has been influenced by crofting legislation to those witnessed in a similar parish outwith crofting. The 2 parishes display many similarities except that Rogart in East Sutherland has a strong crofting tradition and has been influenced by crofting law, while Cabrach in Upland Grampian has had a strong tradition of smallholder agriculture<sup>1</sup> but has never been influenced by crofting legislation because it is situated outside the crofting counties.

Examining the historical trends in demography, land tenure and employment in each parish, sheds light on the impact of crofting legislation. The analysis is based on 3 snapshots in time: 1891, 1951 and 1991. This spans the period over which crofting legislation has been in place. 1891 can be taken as a benchmark for the situation when crofting policy was first formulated and implemented (following the 1886 Act), 1951 reflects the scenario prior to the introduction of the current Crofters Commission, data from 1991 provides an understanding of the contemporary situation. This allows an evaluation of what has been achieved by the construction and implementation of crofting law in retaining people, land holdings and jobs. It also indicates what the Highlands and Islands might be like if crofting legislation never been developed.

##### 3.1.2 Introduction to the Parishes

Figure 3.1 shows the location of Rogart and Cabrach. The 2 parishes are broadly similar in the following respects:

- They are eastern parishes roughly equidistant from Inverness.
- They are upland areas dominated by a similar system of smallholder agricultural production.
- They had similar patterns of land tenure in the last century (a large number of smallholder tenants situated on land owned by large estates).
- Historically, households in both areas have constructed livelihoods by combining smallholder production with alternative sources of off-farm income.
- They have both been influenced by regional development policies administered by the Highland and Islands Enterprise (formerly the HIDB).
- They have a similar climate and agricultural year.

But they differ markedly in that:

---

<sup>1</sup> When crofting legislation was first introduced Grampian and Aberdeenshire had as many crofts in them as the crofting counties did. Their exclusion from crofting legislation was vigorously contested at the time (James Hunter pers. comm. 01/96)

- Rogart falls within the Crofting Counties and has been affected by crofting legislation and policy since its inception in 1886. There are 162 crofts currently registered in Rogart and an estimated 68% of the parish population is constituted by members of crofting households. Rural livelihoods in Cabrach have always been similar to those of crofters<sup>1</sup>. However, as the parish lies outside the crofting counties, it has never had any registered crofts, nor has it ever been influenced by crofting legislation.
- Rogart has always had a larger population than Cabrach.
- Rogart is a bigger parish (37,503 hectares), than Cabrach (11,669 hectares).

### 3.2 PRINCIPAL DEMOGRAPHIC CHANGES

#### 3.2.1 Both parishes have experienced significant rural depopulation

Figure 3.2 and the accompanying Table 3.1 show that the total populations of both parishes have declined markedly since crofting policy was introduced in 1891.

FIGURE 3.1 POPULATION CHANGE IN CABRACH AND ROGART SINCE 1851

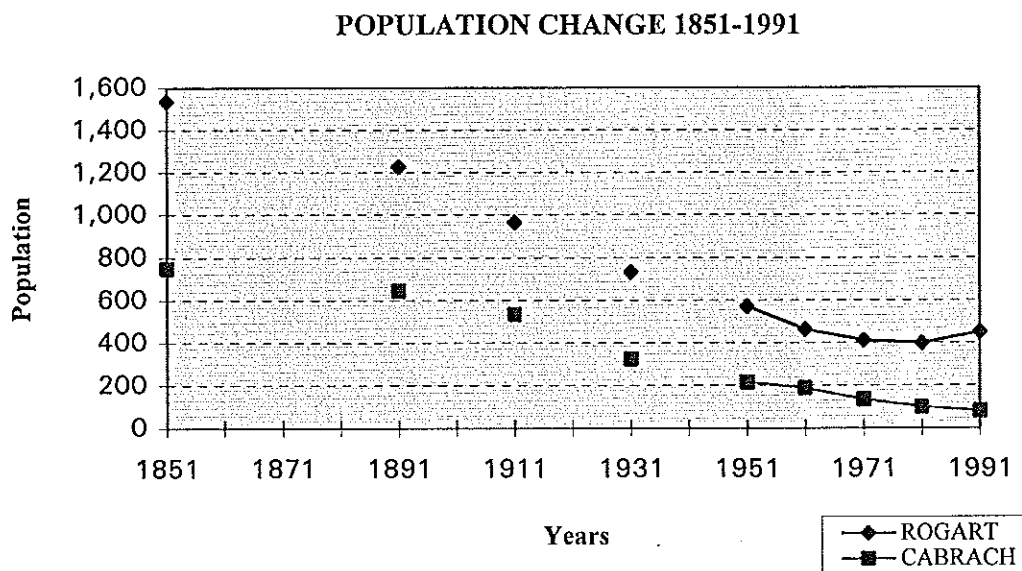


TABLE 3.1

DEMOGRAPHIC CHANGE IN THE PARISHES OF ROGART AND CABRACH 1851-1991										
	Area (ha)	1851	1891	1911	1931	1951	1961	1971	1981	1991
ROGART	37,503	1,535	1,227	964	732	571	463	411	398	450
CABRACH	11,699	750	646	534	326	215	187	135	100	80

#### 3.2.1 Rate of population decline has been higher in the non-crofting community

Figure 3.2 and Table 3.1 illustrate that over the past century the total population of Rogart has fallen by 63% from 1,227 to 450; while in Cabrach it has fallen by a staggering 87% from 646 in 1891 to a contemporary population of only 80. In both cases pre-1950s population decline has been significantly higher than in the post war

<sup>1</sup> Indeed, many of the smallholders in that area are referred to as crofters in the 1891 parish Valuation Role.

period. The trend for Rogart demonstrates a 54% decline from 1891-1951 followed by a 21% drop from 1951-1991. Cabrach has lost residents at a consistently higher rate with a 67% decrease from 1891-1951, and a post war (1951-1991) decline of 27%. These trends reflect processes of rural depopulation observed throughout the Highlands and Islands and analysed in the previous chapter, but even within this context, the case of Cabrach is extreme.

### 3.2.2 Rural depopulation has stabilised in the crofting parish since the 1960s

One reason why population decline in Cabrach is extreme in a regional context, is that it has continued to shed population since the 1960s, during which time rural depopulation in other Highland rural parishes, like Rogart, has tended to stabilise. This flattening out of the demographic curve reflects the process of counterurbanisation, as described in section 2.1.4. Fieldwork in Rogart confirmed that immigration is primarily responsible for this process. In the early 1960's there were only 3 incomers living in the parish; currently one third of the population is immigrant. Unlike some areas where one particular category of immigrant dominates (often it is retired professionals), there is considerable variation in the backgrounds, skills and age of immigrants to Rogart. Established local families consider them to be an asset as newcomers have renovated a decrepit local housing stock, strengthened the size of the local community and have stimulated the development of a local tourist industry. None of these processes have occurred in Cabrach where outmigration is still the order of the day.

### 3.2.3 Depopulation has lead to increasingly aged communities in both parishes

Age structure is one of the principal indicators of a communities long term sustainability. As a useful rule of thumb, a community which has over half of its residents aged 44 or below can be taken to be healthy. Rural depopulation is usually manifest by a reduction in the number of people aged under 44, resulting in increasingly aged communities. Of particular significance to a communities health is the number of young women aged between 18 and 30 who reside there (see appendix F section 1.2)

TABLE 3.2 THE CHANGING AGE STRUCTURE OF ROGART AND CABRACH

		<4	5-14	15-44	45-64	65+
Rogart	1891	8.4%	21.2%	34.6%	20.8%	14.8%
	1991	3.8%	11.4%	34.4%	26.8%	23.5%
Cabrach	1891	17.2%	20%	36.4%	15.8%	10.5%
	1991	1.2%	18%	32%	31%	17%

Although the population of both parishes has become increasingly aged over the past century, there is currently very little difference in the demographic profile of each parish. It is interesting that the radical depopulation of the Cabrach is not reflected in it having a more highly skewed contemporary population structure. This suggests that outmigration here has not been selective in the way that it often is. Rather than one age group (usually 15-44 year olds) leaving the parish in higher numbers than the others and creating an imbalance in the remaining population, all age groups appear to have been leaving at a similar rate. This usually occurs when complete households decide to move together.

### 3.2.4 Rates of household loss have been lower in the crofting parish

Table 3.3 (below) shows that in both parishes, depopulation over the past century is linked to a decline in the average size of households as well as a progressive decline in the total number of households.

TABLE 3.3 NUMBER OF HOUSEHOLDS (AVERAGE HOUSEHOLD SIZE)<sup>1</sup>

	1891	1951	1991
Rogart	291 (4.2)	206 (2.8)	187 (2.4)
Cabrach	140 (4.6)	67 (3.2)	26 (3.0)

It confirms that population structure of communities has been maintained in the face of considerable depopulation because outmigration has not been selective; whole households have moved together. Within this context the total number of households has fallen at a much greater rate in the non crofting parish. Cabrach has experienced an 81% decline in the total number of households since 1891, while in Rogart the comparable figure is only 36%. This considerable difference is closely related to the structure of land holdings in each parish.

### 3.3 PRINCIPAL CHANGES IN LAND TENURE

#### 3.3.1 Land amalgamations have been greater in the non-crofting parish

Table 3.4 illustrates that the total stock of landholdings in Rogart has diminished by 18% since 1891. This is the result of a 61.5% decline in the number of tenant farms (from 13 to 5) during the first half of the century, and a 9% contraction in the number of crofts in the second half of the century (18 crofts have been amalgamated with other croft holdings since the 1960s to create larger units). In Cabrach the total number of land holdings has fallen by 71% over the century, mainly as a result of post war amalgamations of tenant farms. Indeed from 1951-1971 the total number of holdings in Grampian has diminished by 61%<sup>2</sup>. In comparison, the total stock of crofts throughout all of the crofting counties has diminished by only 10.4% from 1960-1994. This is the principal structural difference in land tenure between the crofting and non-crofting parishes.

TABLE 3.4 CHANGES IN THE NUMBER OF LAND HOLDINGS<sup>3</sup>

	1891	1951	1991
Rogart	217 (13 farms)	196 (176 crofts, 5 farms)	178 (162 crofts, 5 farms)
Cabrach	70	64	20

<sup>1</sup> Data gathered from the 1891 Census; the 1891 and 1951 Parish Valuation Role; and 1991 census OPCS small area statistics.

<sup>2</sup> NESDA (1973) Speyside Study.

<sup>3</sup> In the absence of relevant information from the agricultural census, data has been distilled from the 1891, 1951 and 1985 Valuation Roles, the register of crofts and fieldwork.



### **3.3.2 Households in the crofting parish have accumulated holdings**

Although the total stock of agricultural units in Rogart has remained relatively stable, holdings have nevertheless become concentrated in the hands of a smaller number of households. The current stock of 176 crofts is registered in the names of only 85 different individuals, which gives an average of just under 2 units per household. Given that some of these names belong to the same households, this is likely to be a conservative estimate. The important point to recognise is that while legislation has been effective in maintaining a stock of land holdings, it has had limited influence over the distribution of those holdings among the resident population.

A fieldwork study of one crofting township in the parish of Rogart clearly illustrates this process. It notes that a combination of croft amalgamations, coupled with accumulation of holdings has led to land being concentrated in the hands of a few households over the past century. The 1891 Valuation role records 11 holdings in the township, 10 of which had houses. The way that the crofts are numbered suggests that there were 3 amalgamations even before that date. Further amalgamations reduced the number of crofts to 6 in 1951, a figure which remains the same today. Even though the total number of crofts has remained the same since the war, a process of accumulation has concentrated land in the hands of a small number of hands. Of the 3 households currently resident in the township, one has one croft, one has 2 crofts and the third has 3. One family therefore owns 50% of all crofts.

### **3.3.3 There is a high degree of continuous land occupancy in the crofting parish**

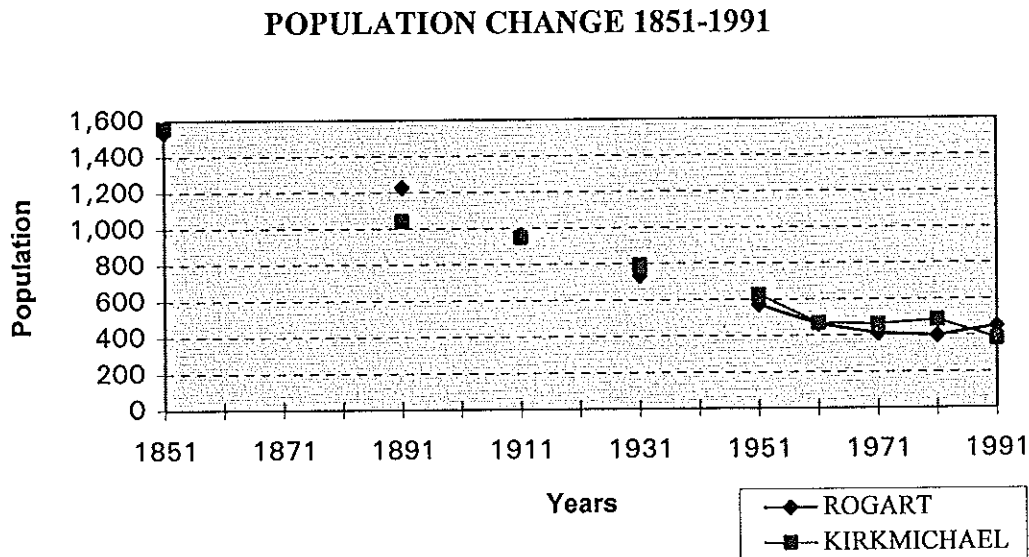
The same township survey showed that there has been a considerable degree of continuous land ownership over the past century. One-third of the families registered under the 1891 census still occupy the same land in 1996 even though rates of rural depopulation have been substantial. Having comprised 13 households with a total population of 51, the township currently hosts 3 households containing 10 residents. Thus, the total number of households has declined by 77% and total population has fallen by 80%. Average household size has diminished from 4.8 to a current figure of 3.3. The significant point is that even though policy has not been able to prevent depopulation and the associated accumulation of holdings by remaining families, the total stock of land has largely remained in the hands of local families. This has not been the case in the Cabrach, where many of the families who occupied landholdings in 1891 have since left altogether. The 1891 Valuation Roll shows that there were 63 different family names associated with land holdings in Cabrach at that time. A century later only 7 of them are still listed on the Valuation Roll. Much of the land and many of the holdings are held by solicitors offices or by the Council.

### **3.3.4 Poor landowner/tenant relations contribute to depopulation**

The Glenlivet estate which is under Crown management, is situated in Kirkmichael, the adjacent parish to Cabrach. The Crown estates have an exemplary history of progressive management practices. In the case of Glenlivet, the development of smallholder agriculture on estate land was actively encouraged in the latter half of the nineteenth century. In many ways the 'grade A leases' which were offered to smallholders in Glenlivet gave them a security of tenure equivalent to that enshrined in the Crofting Acts. As a result, the rate of population decline in the course of the last century (1891-1991) has been significantly lower in Kirkmichael (63%), than in the neighbouring parishes of Cabrach (88%) and Glenbuchat (78%), where estate management has not favoured smallholders. Interestingly, as is illustrated in figure 3.3

there is virtually no difference in rates of population decline between Kirkmichael and Rogart where smallholders' land rights in both parishes have enjoyed a degree of protection under government management:

FIGURE 3.2 DEMOGRAPHIC CHANGE IN KIRKMICHAEL AND ROGART<sup>1</sup>



### 3.4 PRINCIPAL CHANGES IN EMPLOYMENT

#### 3.4.1 Depopulation reduces service provision and employment opportunities

In marginal areas, the rural economy is particularly sensitive to locally generated demand. The income of dykers, blacksmiths, shopkeepers, builders and labourers is largely generated by contractual employment from local people. This means that when total population declines, local incomes may also fall and certain jobs then become unviable. A second stage of the same process occurs when communities shrink to such a size that they fall below the critical threshold necessary to support certain services like schools, churches, stations, and post offices all of which have associated jobs.

Both Rogart and Cabrach have experienced the first stage of this process. The 1891 Census lists men employed as wheelwrights, weavers, cartwrights, joiners, carpenters, blacksmiths, masons, quarriers, tailors, bootmakers and meal dealers, many of which simply do not provide viable livelihoods today. However, even though the opportunities for traditional rural professionals have certainly declined, ancillary employment in both areas was sufficiently large to maintain a reasonable working population and keep local shopkeepers in business. The whisky trade was an important employer in upland Grampian (even though there was never a distillery in Cabrach, Glenlivet is produced in the neighbouring parish of Kirkmichael), and estate work provided jobs in both Rogart and Cabrach. As a result, population size and structure in both parishes was still healthy enough to support primary schools in the

<sup>1</sup> Note that rural population densities are slightly higher in Kirkmichael which has a land area of 25,358 hectares compared to Rogart's 37,503.

1950s, with Rogart boasting a secondary school as well. Since the 1950s, however, employment opportunities on estates in both areas have contracted sharply.

#### **3.4.2 A threshold effect influences employment prospects in small communities**

In the case of Cabrach the post war population has fallen to such a degree that the parish has passed the threshold necessary to maintain certain services. Having contained 2 primary schools with 26 pupils in the 1950s, there are currently only 7 children under 10 years old in the whole parish and the nearest school is situated in the neighbouring parish of Kirkmichael. Rogart has been saved from a similar fate by immigration and the growth of the local tourism industry. Here the primary school roll has increased significantly from its low point in the 1970s to a current total of 36. In short, the population of Rogart never shrunk below a critical threshold as it did in Cabrach. Consequently, public services and associated jobs remain better in Rogart than in Cabrach.

#### **3.4.3 Employment is the principal determinant of migratory behaviour**

The discussion above shows how a lack of employment has contributed to outmigration in both parishes. However, the process is not irreversible and people do move back to rural areas when income generating opportunities emerge. This has been particularly relevant since the 1970s, during which time employment prospects and job security have no longer been guaranteed in cities. One man from Rogart had followed what seemed to be a fairly typical pattern. Having worked away with British Rail for 8 or 9 years he inherited a croft about the same time that the postman's job became vacant. The combination of these 2 things gave him the opportunity to return, and he did choose to come back despite it being 'less of a career'.

### **3.5 FACTORS INFLUENCING THE PROCESS OF COUNTERURBANISATION**

#### **3.5.1 Service provision is better in Rogart than in Cabrach**

Living in Rogart provides the same facilities (water, electricity, good housing, etc) and conveniences (supermarkets etc in Pittenrail) as urban areas, but with none of its more negative features (pollution, crime, and so on). This makes it an attractive place for parents to bring up their children (eg primary schools and shops are within reasonable travelling distance). Several mothers have returned to the parish with their children following the break up of their marriages. Cabrach offers few of the same services as it is still relatively isolated. The nearest service centre is at Dufftown, over 10 miles distant and public transport is poor.

#### **3.5.2 Tourism has brought new income to Rogart but not to Cabrach**

Post 1960s developments in the local tourist economy have provided new income generating opportunities in Rogart, which is one of the few areas in which women can get work. A number of crofters have built holiday chalets on their land, and the parish attracts hillwalkers and anglers in the summer. The landscape around Rogart slots neatly into traditionally held perceptions of that which is quintessentially Highland. Consequently there is a seasonal demand for a variety of accommodation from self-catering to guesthouses to the outsider; Cabrach has a limited appeal to tourists and has no tourist facilities. Significantly, it is overshadowed by the more spectacular Cairngorms which are both easily accessible and have a well developed tourist infrastructure.

### **3.5.3 Structure of land holdings in Rogart facilitates immigration/return migration**

When land holdings become amalgamated into larger units, it greatly reduces the opportunities for people to acquire a house and smallholding from which they can develop a rural livelihood. While Rogart had little employment to offer before the post war tourist industry picked up, once income generating opportunities did exist there was a stock of smallholdings and decayed buildings for people with sufficient energy to revitalise and make use of. The same cannot be said for Cabrach where the process of land amalgamation acted like a ratchet to prevent this process from occurring. Where there was once a cluster of holdings and associated buildings which offered potential bases for a number of different rural livelihoods, only one larger unit now exists. Landscapes like this offers very few opportunities to either incomers or return migrants.

### **3.5.4 CCAGS and CBGLS schemes have been important**

Fieldwork interviews revealed the important role that grant schemes play in facilitating the process noted above. CCAGS and CBGLS were described as 'the cornerstone of retaining folk in rural areas like Rogart'. Without them, far fewer people could have built their houses and stayed in the parish. It was further said that without grants for drainage, handling equipment and fencing, 90% of that type of work would simply not be done.

### **3.5.5 Rogart has a critical mass of people to maintain a thriving social context**

The size and the age structure of rural communities are both key factors which shape the quality of life in an area. Both communities have similar age profiles, but the Rogart has substantially more people. Further there is a strong sense of community spirit amongst them. The parish is lively socially, particularly in the winter when people are less busy with crofting and tourism. There is a ceilidh band; and there are dances, whist and badminton in the village hall, plus organisations such as The Girl Guides and a toddlers playgroup. With a shrinking and isolated population of only 26 households, Cabrach has little of the same social appeal.

## **3.6 THE IMPACT OF CROFTING POLICY AND LEGISLATION**

### **3.6.1 The relationship between policy, depopulation and land tenure**

Rural depopulation has occurred in both parishes. Changing economic circumstances have fuelled outmigration as people move in search of incomes. Evidence from the Crown Estates suggest that security of tenure and socially responsible estate management does play a role in slowing rural depopulation. In non-crofting areas land holdings have been gradually amalgamated as people have left rural areas. In crofting areas, policy has prevented this happening. But land concentration has nonetheless occurred as the families that remain on the land have accumulated crofts. Legislation has not been able to prevent this, but active policy could address the problem if sufficient demand for croft land warranted stronger intervention. Clearly the same processes are at work in each scenario, but there are 2 significant differences between the 2 situations. First, by offering security of tenure, fixed rents, subsidised housing and agricultural grants, crofting legislation and policy has certainly slowed outmigration from the crofting areas. Second, by preventing an amalgamation of holdings and having regulatory powers to free up and allocate crofts, these process of land concentration is more easily reversed in crofting areas than in the non-crofting areas, if sufficient demand for land exists.

### **3.6.2 The probable scenario if crofting policy had never existed**

Even though rural depopulation from the crofting parishes has been substantial, it would certainly have been higher if crofting policy had never existed. The comparison between rates of outmigration from the Crown estates where smallholders enjoyed a similar degree of protection to crofters, and the neighbouring Cabrach provides evidence of this.

- Land holdings in the crofting parishes would have been amalgamated at a much greater rate than that which has occurred. Although the samples in this case study are limited, it appears that non-croft holdings in Eastern Sutherland and Upland Grampian have been amalgamated at approximately the same rate over the past century (61%). If crofting legislation had not preserved the existing pattern of land tenure, we might expect to see the stock of crofts in the crofting counties diminish at a similar rate.
- The smaller numbers of households that stayed on the land would probably be more prosperous as they acquired larger agricultural units.
- It is likely that the provision of rural services would have declined as a larger number of communities shrank to a size smaller than the threshold necessary to maintain certain amenities.
- It is probable that in the absence of available landholdings and building stock, counterurbanisation may not have occurred to the same degree in rural Scotland. Once land holdings have been amalgamated there are fewer opportunities available for people to return to rural areas which may prevent a process of counterurbanisation from occurring

### **SUMMARY OF MAIN POINTS**

- **Crofting legislation has been successful in maintaining a stock of smallholdings.**
- **Rural depopulation in the non-crofting areas has encouraged the amalgamation of land holdings, in the crofting counties this has not happened on the same scale.**
- **In the face of sustained rural depopulation, crofting policy has not been successful in maintaining an equitable distribution of those smallholdings, and croft land has become concentrated in the hands of a small number of families.**
- **Evidence from the Crown estate shows that security of land tenure and supportive landlords are important factors in reducing rates of rural depopulation.**
- **Access to amenities is an important factor in maintaining the population of rural communities.**

- **Crofting legislation has facilitated the process of counterurbanisation. Immigrants and return migrants are attracted to the stock of smallholdings, houses, and fiscal incentives available in the crofting parishes.**
- **Crofting legislation has allowed landholdings to remain in the hands of the same families.**
- **Migratory behaviour is closely linked to the availability of income generating opportunities in both crofting and non crofting areas.**

## 4 WHAT MAKES CROFTING COMMUNITIES THRIVE, AND HOW DOES POLICY CONTRIBUTE TO THIS?

### 4.1 BACKGROUND TO STUDY

#### 4.1.1 Methodology

This study considers what factors underpin a thriving crofting community and investigates how policy does, or can, contribute to this process. The changing fortunes of 2 townships are considered; Garyvard which is currently thriving, and Lemreway which is in decline, both of which are situated in the peninsula of Park. This brief analysis compares their contemporary situation to that which prevailed in the late 1950s when both of these communities (together with all of the townships on Park) were the subject of detailed study by a team of geographers lead by Dr. James Caird of Glasgow University<sup>1</sup>.

#### 4.1.2 Introduction to the townships

The 2 townships are in many ways typical of other crofting communities whose economic base lies in combination of fishing and agriculture. Geographically, they are relatively close to one another and the quality of their croft land is similar, they both have access to the same marine resources. Historically fishing has been much more important than agriculture to the people of Lemreway, whilst in Garyvard agriculture has dominated. Apart from this, the only other principal difference relates to their size, with Lemreway containing 33 crofts and Garyvard only 13.

It is particularly interesting that in each of these communities there has been a complete reversal of the trends forecast in Caird's study. In the township of Garyvard his team believed they were 'witnessing the end of a community', but today the township is regarded as relatively healthy, having attracted a number of young families back in recent years. In total contrast, Caird's team wrote 'It is possible to be optimistic about the future of Lemreway' (Caird 1958), but that same community has since entered a rapid spiral of decline. Indeed, today, as one local explained, 'Lemreway is dying on its feet'.

Such turnarounds, from one generation to the next, merit special analysis as they provide an insight into the underlying dynamics that make crofting communities either thrive or wither. This study will look at these factors in order to see how significant policy and legislation have been, or can be, in influencing what happens.

---

<sup>1</sup> See Caird (1958).

## 4.2 PRINCIPAL DEMOGRAPHIC CHANGES

Figure 4.1: Population Change in Garyvard and Lemreway

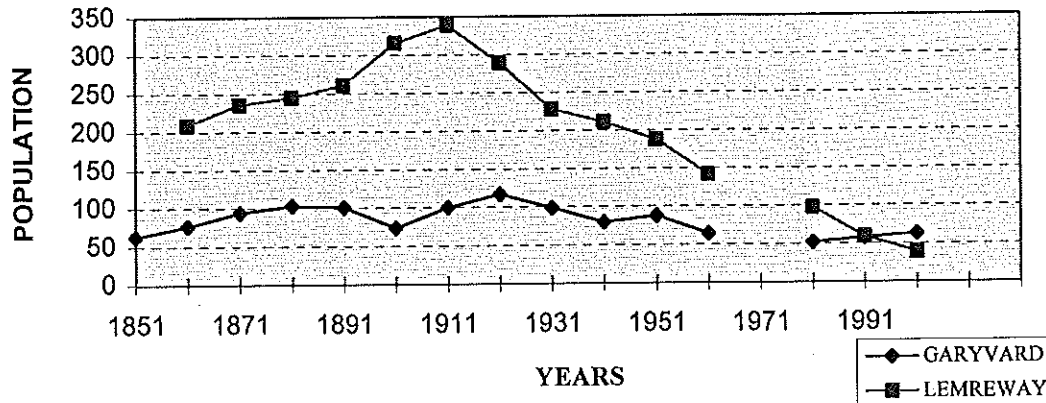


TABLE 4.1 COMPARISON OF POPULATION CHANGES IN LEWIS TOWNSHIPS<sup>1</sup>

	1851	1861	1871	1881	1891	1901	1911	1921	1931	1939	1951	1958	1971	1981	1991	1996
GARYVARD	63	77	94	103	101	74	100	117	99	80	88	64		52	58	63
LEMREWAY		209	236	245	261	316	339	289	228	211	188	142		98	59	39
PARK	1049	1388	1563	1704	1785	1876	1922	1733	1549	1500	1164	890		573	436	
LOCHS	3064				4675		4750		3849		3111	2456	2166	2319	1957	

### 4.2.1 Total population has fluctuated with economic processes

The 2 crofting townships have radically different demographic profiles, which relates to their economic base. Lemreway is a fishing village, the population of which, in common with the rest of the Outer Isles, grew significantly from the 1850s to 1911 in association with a boom in the local herring industry. Population has declined spectacularly since then, with an 88% reduction from 1911 to 1996. In contrast, the economic base of Garyvard is predominantly (though by no means exclusively) agricultural, which accounts for its more stable demographic curve over the past 150 years. Population peaked at 117 in 1921, and has fallen gradually by 46% since then to a present day total of 63. Even though Lemreway once outnumbered Garyvard by a factor of 3 (in 1911), it now contains a substantially smaller population. This confirms an observation which Caird made in greater detail in his 1958 study, that the total population (as well as demographic structure) of these communities is overwhelmingly determined by migration, not rates of natural increase.

### 4.2.2 There are cyclical fluctuations in the demographic curves of small communities

The demographic curve of Garyvard is characterised by a number of small cycles displaying a pattern that typifies the population dynamics of small communities. When a community consists of a relatively small number of households (which in this

<sup>1</sup> Data compiled from 1891 census, 1958 Caird study and 1996 fieldwork. Census data for 1971 is lacking, because data was not recorded in that year for hamlets with less than 100 residents.



case is about 20 - see below), the arrival or outmigration of one or 2 families can have a profound effect on both the total population and demographic structure of the whole community. Thus, the overall trend which is one of relative stability, masks a series of short term demographic shocks that are often the result of highly localised factors.

**TABLE 4.2 TOTAL NUMBER OF HOUSEHOLDS (AVERAGE HOUSEHOLD SIZE)**

	1891	1958	1996
Garyvard	18 (5.6)	14 (4.6)	22 (2.86)
Lemreway	42 (6.2)	27 (5.2)	25 (1.56)

**4.2.3 Average household size has declined**

Average household size has fallen gradually in both communities over the past century. Even so, current household size in Lemreway is considerably lower than the average for the crofting parishes (2.96), whilst that of Garyvard is more representative.

**4.2.4 Total number of households has grown in one community, but not in the other**

Lemreway has lost a substantial number of households over the past century, and the current total of 25 is probably about half of those existing at the height of the herring boom in 1911, though hard data is not available to substantiate this. However, Garyvard displays a very different trend. The total number of households declined by a fifth from 1891 to 1958, but has risen considerably since to give a current total of 22, due to post war immigration. Lemreway which once had twice as many households as Garyvard, now has about the same number.

**4.2.5 Demographic profiles have become increasingly top heavy**

Table 4.3 shows that the age structure of both villages has become increasingly top heavy over the past century. In the case of Lemreway this shift towards an aged population has been extreme. Having had 30% of its residents below the age of 15 in 1891, the community no longer has any. The youngest person currently living in Lemreway is 37 years old and 64% of its inhabitants are aged over 65.

**TABLE 4.3 CHANGING AGE STRUCTURE 1891, 1958, 1996**

		0-4	5-14	15-44	45-64	over 65
Garyvard	1891	14.1%	29.3%	41.4%	13.1%	8%
Garyvard	1996	6.3%	15.8%	30.16%	25.4%	22.2%
Lemreway	1891	11.1%	18.4%	47%	15.5%	8%
Lemreway	1996	0%	0%	13%	23%	64%

Garyvard has also become increasingly aged over the past century, but since 1980, three young families with children have moved back to the community which has had a rejuvenating effect on the township. In relation to the other townships in Park, Garyvard is one which currently shows greatest potential for the future.

### 4.3 THE PRINCIPAL CHANGES IN LAND TENURE

#### 4.3.1 The total number of land holdings has stayed constant

TABLE 4.4: TOTAL NUMBER OF LAND HOLDINGS

	1891	1958	1996
Garyvard	11	13	13
Lemreway	34	33	33

Table 4.4 shows that the overall stock of smallholdings in each township has stayed remarkably constant over the past century. In fact, it has increased slightly as a result of apportionments. This is probably representative for most townships in the Western Isles where whole croft decrofting has not been widespread. Further, it is impressive that a large percentage of these holdings have remained in the hands of the same tenants. In the case of Lemreway there are only 2 family names (McInnes and Finlayson) which were associated with the township in 1891, that do not feature in the current register of crofts (though there are McInnes' in the neighbouring township of Orinsay). This fusion of families and land is one of the characteristic features of crofting communities.

#### 4.3.2 The distribution of landholdings is equitable

Despite the high rates of rural depopulation, land holdings have not been concentrated in the hands of a few households as was the case in Rogart. The two townships have a total stock of 46 crofts which are currently distributed quite equitably among 44 households<sup>1</sup>. No household has more than 2 crofts and there are only 2 households that have accumulated more than one holding. Even so, a small number of active crofters make use of land which their neighbours do not utilise either because they have stopped crofting or because they are absentee. 9 of the 44 tenant crofters are absentee; 5 of them live in Stornoway and the remaining 4 reside on the mainland (2 in Glasgow, one in Bute and one in Montrose). 33 of the 46 (72%) crofts are stocked, though very few are actively worked to their full potential.

### 4.4 PRINCIPAL CHANGES IN EMPLOYMENT

#### 4.4.1 The decline of the fishing industry has had a profound impact

Changes in the economic foundations of the crofting townships has had a profound effect upon their demographic composition and social welfare. The significance of the fishing economy for Lemreway has already been noted. While the same activity also provided an important source of income for people in Garyvard, fishing only ever complemented, not substituted agriculture. They were able to insure themselves against the decline of the fishing economy by focusing on agricultural production from their landholdings. The same did not happen in Lemreway where livelihoods had become more dependent upon the exploitation of marine resources. As the subsequent history showed, livelihoods which are built upon economic specialisation in marginal economies are extremely vulnerable.

<sup>1</sup> Although table 4.2 shows that there are a total of 47 households, 3 of these reside in council houses in Garyvard, thus there are effectively only 44 households with crofts.

#### **4.4.2 Post 1970s growth of fish farming economy underpins recent repopulation**

The development of fish farming has made the most significant contribution to the local economy since the 1970s. There are 3 fish farms in Park, one at Lemreway, another at Calbost and the third at Kershader. Each employs a total of 6-8 people (mainly men) at the site of production, while associated jobs have been created in Stornoway. Fish farming came too late to reverse depopulation in Lemreway as most of the townships residents were by that stage too elderly to participate. Only one man from the community is employed on the fish farm, the rest of the labour force commutes in from neighbouring townships like Garyvard. Three men out of the 12 people (25%) from Garyvard who are in full-time waged employment work on local fish farms.

#### **4.4.3 Infrastructural improvements gave crofters access to new jobs**

Most other people who are in salaried employment commute to Stornoway each day to work as tradesmen, clerks, cooks and secretaries. A recent improvement in road infrastructure has considerably reduced the time taken to commute into Stornoway from Garyvard<sup>1</sup>. This was a decisive factor in attracting younger families back to the crofts in that township. Lemreway, situated at the far end of the Park peninsula is still relatively remote and has no daily commuters. Of a total adult population of 39, only 8 are engaged in income generating activities other than sheep husbandry<sup>2</sup>. Although their proximity to Stornoway gives the crofters access to paid employment, the same factor seriously hampers the development of a tourist market. Tourists tend to be attracted either to the town itself or to very inaccessible areas, neither of which benefits the communities of Park as they sit squarely between the two.

### **4.5 FACTORS UNDERPINNING THE HEALTH OF A CROFTING TOWNSHIP**

#### **4.5.1 Availability of local income-generating opportunities**

This analysis demonstrates just how significant income generating opportunities have been in defining the rates and direction of migration. Demographic change in the 2 communities which have been scrutinised above can be attributed to 3 key influences: the demise of the herring industry, the growth of fish farming, and the improvement of the road to Stornoway. All 3 are directly related to income generating opportunities in the locality. As so many of the potential income generating activities relate to management of natural resources, diversity of the local natural resource base is a significant factor. But so too is the ability of a community to take advantage of any opportunities that may arise. Lemreway, for example had a fish farm on its doorstep by the end of the 1980s, but by the time it was established the local population was already too old to take advantage of the employment opportunities it presented.

#### **4.5.2 The extent of local services and infrastructure**

Access to shops, schools and other amenities is a particularly important factor which either encourages or thwarts the development of small communities. Access to social facilities like pubs, churches or village halls may also be important as they play a key

---

<sup>1</sup> The Western Isles Council has had a major impact on improving local infrastructure since its establishment in 1974.

<sup>2</sup> They are one fish farmer; two post office employees, two creelers; one weaver; one electrician; and one digger driver.

role in strengthening village life. In this case, the road improvement in Park greatly improved Garyvards' access to all of these facilities, but is in danger of creating a dormitory town. In contrast Lemreway has remained relatively isolated. Within this context it is important to bear in mind the threshold effect that has already been noted. As rural depopulation increases, services like schools can no longer be supported by small communities and their closure can have a large impact on the demographic balance of townships <sup>1</sup>.

#### **4.5.3 The uptake of grants and subsidised credit**

It is clear that a high rate of grant uptake is one of the factors that underpins the relative dynamism of Garyvard and distinguishes it from Lemreway. Data for CCAGS support from 1989-1995 reveals that 9 of the 13 crofts (69%) in Garyvard have received grants under the scheme which total an investment of £54,100. The comparative figures for Lemreway are less impressive. Only 6 out of 33 crofts (18%) have received funding under this scheme and total investment totals £23,500, less than half the amount that was secured by Garyvard. Clearly, it is not so much the provision of these grants that determines the success of any one townships (they are available to all of them), but the rate at which they are taken up. This is wholly dependent upon the motivation of particular individuals and communities.

#### **4.5.4 The stage of the township in its natural cycle**

Fieldwork identified a process of natural pulsing associated with the population fluctuations of small townships. It is clearly visible in the dynamics of communities like Garyvard and Lemreway and it concerns the relationship between people, their age and the stock of housing and jobs in the locality. The cycle starts when somebody moves onto a croft. Typically they tend to be in their mid 50s and often bring children aged in their late teens or early 20s with them. In working the croft, the crofter takes both the land and the one associated job. Any offspring have no option but to move away in search of work, returning only if another croft or local employment becomes available. In townships like Lemreway and Garyvard where all of the crofts are tenanted, if not fully utilised, the youth are effectively denied access to the land until the previous generation dies and the crofts are assigned. The timing of the sequence is such that this rejuvenation of the township often does not occur until the younger generation is already in its 50s.

The cyclical nature of this process ensures that at any given time one community may be on the upturn of this demographic cycle, as is the case with Garyvard, whilst a neighbouring community is on its downswing, as is the case with Lemreway. This goes some way to explaining why Caird's predictions in 1958 were the precise inverse of what has actually happened. It would certainly be interesting to look at these same communities in 30 years time to see if today's situation has been reversed.

#### **4.5.5 The behaviour of a few key people**

Small communities are particularly sensitive to the decisions of a small number of people. The arrival of one or 2 families in a township can have a major impact on the future welfare of that community, especially if they are outsiders who tend to come in with fresh ideas and energy. The same is true if people decide to leave. Even the dynamism of one or 2 key individuals in a township can have a disproportionate

---

<sup>1</sup> In this case it is not a relevant factor in explaining the difference between the communities as the schools in both villages closed at about the same time in the 1970s.

impact on the growth or decline of the community. Such is the case of Calum Mcleod who was the grazings clerk of Garyvard from the late 1960s to the mid 1980s. He was an exceptionally dynamic character who had such a positive influence on the community that he was eventually awarded an MBE for his efforts. He galvanised members of the township into planning and raising money for an apportionments scheme and sheep fank improvement in the 1970s.

#### **4.6 THE IMPACT OF CROFTING POLICY AND LEGISLATION**

This case study has identified 5 principal factors that have had a major influence on the numbers of residents and the welfare of 2 crofting townships since the Crofters Acts have been in existence. Here we will examine each factor in turn and assess the extent to which crofting policy has influenced it. In general terms the first 2 factors relate more closely to long term demographic trends operating over the century, whilst the latter three are more closely linked to individual actions and short-term population trends which operate intergenerationally.

##### **4.6.1 Employment/income generating opportunities**

Macro-economic factors such as the decline of the herring industry and the more recent growth of fish farming have been the principal influence on long term demographic change. Crofting policy and legislation have never sought to have a direct impact on these broad structural processes, but have done so indirectly through the contributions that their grant schemes make to the local economy. Organisations which allocate regional development funds, like Highlands and Islands Enterprise (HIE), the LECs, local authorities and the EC, all have a more significant impact on the provision of employment opportunities in crofting areas.

##### **4.6.2 Infrastructural improvements and access to local amenities**

Again, this is an area that crofting policy has little influence on, even though access to services and amenities is known to be an important determinant of community welfare. The activities of local authorities and the Local Enterprise Companies (LECs) are more directly relevant, though private sector capital is playing an increasingly significant role (as in the Skye bridge). It is an area which crofting policy and legislation has had little influence in to date, but recent initiatives like the Township Development Scheme based on needs identified by the local community are likely to have a direct impact in specific areas in the future.

##### **4.6.3 CCAGS and CBGLS are important forms of support**

This is clearly illustrated by the comparison between rates of CCAGS uptake in Garyvard and Lemreway. However, in evaluating the impact of this scheme it is important to recognise that the highest rates of uptake of both this and the CBGLS tend to be from those communities which are younger and more dynamic. In this respect rates of grant uptake are an important indicator of activity in an area and they may help boost a process that is already occurring. So, although grants play an important role in improving crofters welfare, their availability is unlikely to have much impact on either the older or less active members of crofting society. It is important to note that over the long term, grants can create a dependency so that any sudden changes in their structure or availability could have disproportionately large impacts on development in the area.

#### **4.6.4 The natural demographic cycle of crofting townships**

Although policy does influence the allocation and management of crofts, its administrators have not sought to influence the timing of the natural demographic cycle of crofting townships (identified above) until relatively recently. As a result policy to date has had very little impact on this. However, the Croft Entrants Scheme (CES) which represents the mechanism through which interventions in this cycle are now being made, is starting to be applied to the Park area. The positive effect that 2 'incoming' households have had on the community of Garyvard demonstrates the potential of freeing up croft land for younger entrants in communities like Lemreway.

#### **4.6.5 Activities of individuals**

While policy has only limited influence on whether people make full use of their croft, it does provide considerable administrative and fiscal infrastructure to support positive action by individuals. Fieldwork interviews with in migrants and return migrants indicates that crofting tenure and access to the CCAGS and CBGLS programmes are decisive factors in drawing people into or back to crofting townships. The same schemes also stimulate considerable investments in townships that would otherwise probably never be made. Because positive action by one or 2 people can have a disproportionately large influence on the wider welfare of the community, substantial multiplier effects can exist.

### **SUMMARY OF MAIN POINTS**

- **Grant schemes, the provision of housing and land have all helped bring people back to certain townships. As a result, in accessible areas policy on crofting grants has played an important part in facilitating a reversal of these trends since the 1960s.**
- **The actions of one or two key people can be the deciding factor in influencing the fate of small communities. The motivation of individuals still remains a significant ingredient in making crofting work.**
- **The relationship between population, land and employment in small townships can underpin cyclical demographic fluctuations in the medium term. These are successfully accommodated by crofting legislation and are increasingly addressed by policies like the CES.**
- **The availability of amenities and income-generating opportunities are both key factors that keep people in rural areas. Crofting policy has had little influence on either of them.**

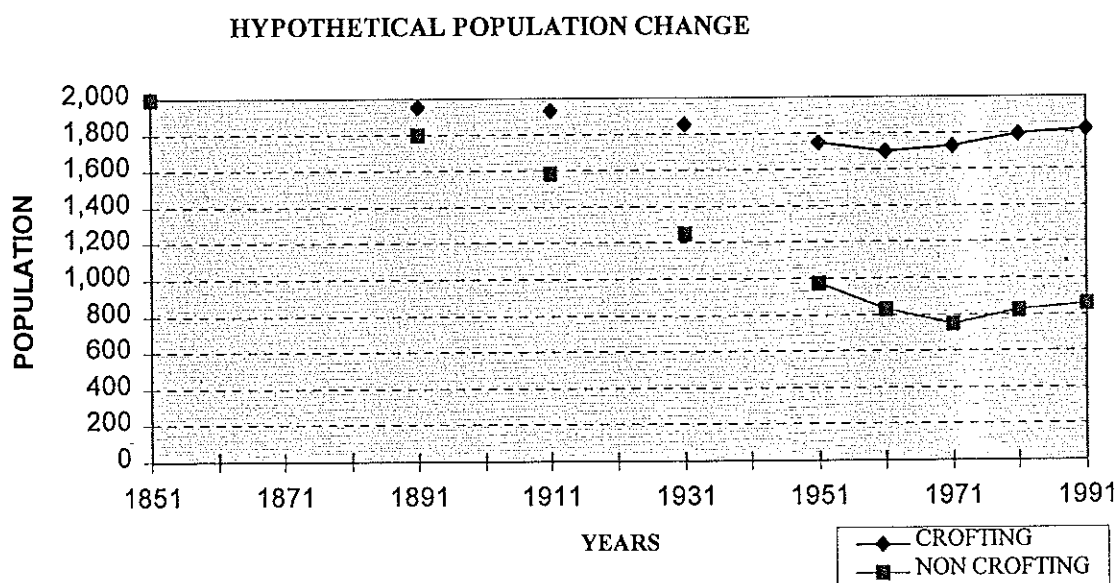
## 5 EVALUATION AND FINDINGS

### 5.1 EVALUATING THE IMPACT OF CROFTING LEGISLATION AND POLICY ON DEMOGRAPHY

5.1.1 In order to evaluate whether crofting legislation and policy have worked or not, 2 markers are required against which its impact on demography can be evaluated. These markers are constructed by answering 2 questions. What impact on demographic change was envisaged when crofting legislation was first devised? and; what demographic changes would we expect to see if crofting legislation had never existed?

5.1.2 Answering the first question is straightforward. As was noted in section 1, crofting legislation was devised to counter extensive rural depopulation from the crofting areas<sup>1</sup>. Clearly this has not been achieved. If legislation and policy had achieved this objective we would expect to see a significant divergence of rates of rural depopulation in the principal crofting parishes from those of comparable non-crofting parishes. The demographic curve of the former would decline at a considerably slower rate than that of the latter. In short we would expect to see graphs at both a macro and micro level which look something like figure 5.1.

FIGURE 5.1 A HYPOTHETICAL EXAMPLE OF DEMOGRAPHIC CHANGE IN CROFTING AND NON CROFTING AREAS IF CROFTING POLICY HAD ACHIEVED ITS STATED AIMS

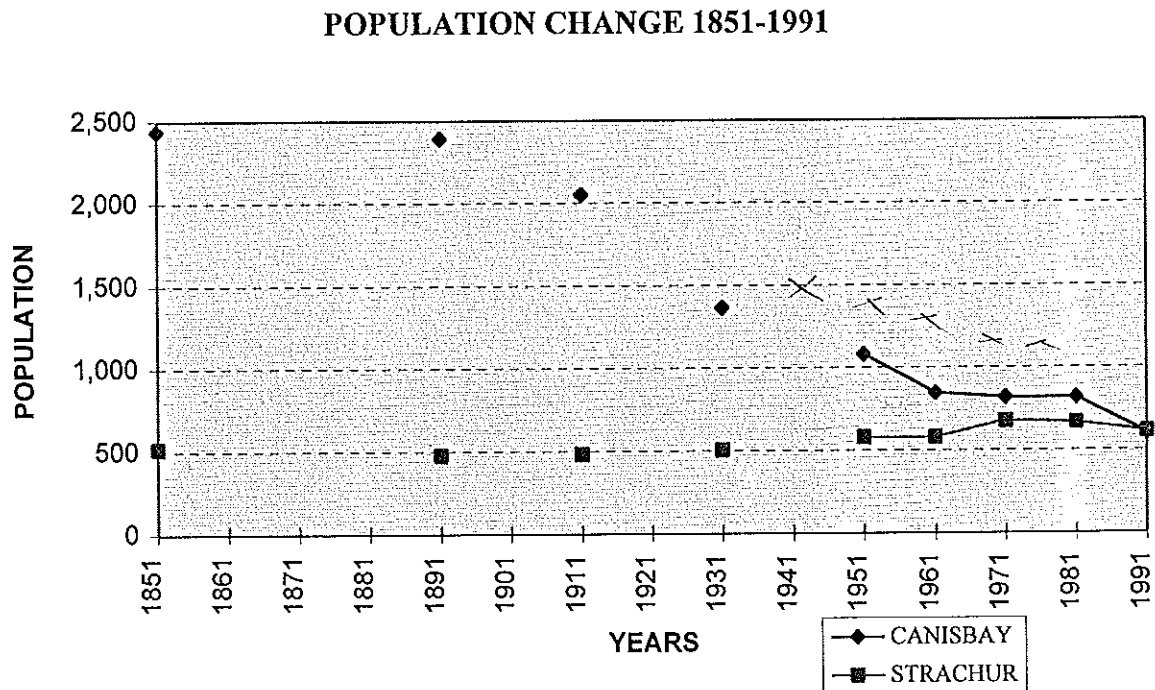


5.1.3 Answering the second question is more difficult, but it does provide the more realistic benchmark against which the impacts of any policy can be evaluated. The argument really hinges on whether crofting livelihoods would still exist if legislation had never been implemented to protect them. Evidence presented in section 3 suggests that they probably would not, and in the absence of legislation and policy we might expect the population densities of what are currently crofting areas to be similar to the population densities of non-crofting areas. In other words, we would expect the demographic curves of crofting and non crofting parishes to merge as is illustrated in figure 5.2 below. There are one or 2 examples of this process occurring (as figure 5.2

<sup>1</sup> This was recommended as a policy objective by both the Napier Commission and the Taylor Commission.

demonstrates), but they are rare. Typicallycrofting legislation and policy has prevented this merging of demographic curves becoming a widespread phenomenon.

**FIGURE 5.2 THE MERGING OF DEMOGRAPHIC TRENDS BETWEEN A CROFTING AND NON-CROFTING PARISH. IF CROFTING POLICY AND LEGISLATION HAD NEVER BEEN DEvised, WE MIGHT EXPECT TO SEE THIS TREND IN ALL COMPARISONS BETWEEN SIMILAR CROFTING AND NON CROFTING PARISHES.**



5.1.4 The trends observed in this analysis lie somewhere between the best case (as illustrated in figure 5.1) and worst case (as illustrated in figure 5.2) scenarios. The conclusion to be drawn is that crofting policy and legislation have had a positive impact on retaining population in crofting areas, but have probably not been as effective as was initially hoped.

## 5.2 LEGISLATION HAS HAD A SIGNIFICANT IMPACT ON LAND TENURE

### 5.2.1 Legislation has been highly successful in maintaining a stock of crofts

After a century of government intervention a stock of 17,671 crofts has been retained in the crofting counties. In Upland Grampian, which is geographically and economically similar to many parts of the crofting counties, but which was never influenced by crofting law, the stock of land holdings has diminished by at least 61% since 1951. In comparison there has been only a 10.41% decrease in the total stock of registered crofts from 1960-1996. Given that rates of post war rural depopulation have been similar in both areas, and that the economies of both areas are comparable, it is likely that the stock of crofts would have contracted over the same period if legislation had not been in place to prevent it.

### 5.2.2 Legislation has not prevented either absenteeism or multiple croft tenancies

In a context of sustained rural depopulation crofting law has been able to maintain a stock of land holdings, but has not been able to keep people on them. In 1996 there were an estimated 1561 absentee crofters on the Register of Crofts (it is likely to be a



conservative figure), suggesting that 9% of crofts are registered in the names of absentee tenants. Data on accumulated holdings does not exist, but fieldwork suggests it is a widespread phenomenon. Detailed analysis of the information collected in the Crofters Commission township surveys could provide an indication of the quantity and distribution of accumulated holdings. In the historical absence of effective intervention to prevent the accumulation of croft holdings, croft land has become concentrated in the hands of the households who remain in townships after their neighbours have migrated. Clearly, this does not represent a problem when there is no strong demand for croft land, but in recent years that scenario has been changing and demand currently outstrips availability of holdings.

### **5.2.3 Crofting legislation has kept land in the same families**

Even though there has been widespread outmigration from the crofting counties, a significant proportion of families that are on croft land today have held that land since crofting legislation was first introduced. It is worth noting that non-croft land holdings in the Highlands and Islands which have been allocated economically on an open land market are frequently owned by individuals or companies who have no historical attachment to the area. This is particularly true of farm tenancies and ownership of larger holdings. By allowing crofters to assign their crofts to a family member, crofting legislation has had an important effect in preserving one quintessential characteristic of the Highlands and Islands; namely the close association between indigenous families and particular places. Clearly, this has had a positive influence on maintaining local culture.

### **5.2.4 Legislation has not prevented land from being taken out of crofting**

Legislation has always allowed landowners who own vacant crofts to apply to the Secretary of State requesting that land is taken out of crofting. The ease with which land can be decrofted has accelerated since the passing of the 1976 Crofters Act (Scotland) because this legislation permitted crofters to buy out their tenancies and become landlords of their own crofts. As land owners they were then in a position to apply for the land to be taken out of crofting. Rates of uptake have varied significantly with some areas like Orkney having much greater levels of whole croft decrofting than other places. To date, a total of 536 whole crofts comprising 19,382 hectares of croft land have been removed from the influence of crofting legislation since 1976. Clearly, if rates of uptake increase, there could be a substantial contraction in both the total stock of crofts and the land area under crofting agriculture. As there is no equivalent legislation that allows land to be taken into crofting tenure, a ratchet effect exists making the process irreversible.

## **5.3 LEGISLATION HAS LIMITED DEPOPULATION, BUT NOT PREVENTED IT.**

### **5.3.1 Policy has maintained higher population densities in the crofting parishes**

Although policy has not succeeded in preventing outmigration from crofting areas, rates of depopulation would certainly be higher if crofting policy had never existed. The proof is that:

- a. crofting areas still support higher population densities than non crofting areas; and
- b. rates of rural depopulation are seen to be lower in areas where smallholders enjoy security of tenure.

If crofting policy had not existed and the crofting system was replaced by tenant farming as occurred in comparable areas like Upland Grampian to which policy was never extended, we would expect to see current population densities in the crofting areas lower than they actually are.

### **5.3.2 Crofting legislation has not prevented rural depopulation**

The comparative analysis presented in section 2 shows that crofting parishes have lost population at a rate similar to the non crofting parishes since the introduction of crofting legislation in 1886. Given their higher population densities, peripheral location and fragile economic base, we might expect the crofting areas to lose population at a greater rate than non-crofting areas. This has not occurred. Typically the rate of rural depopulation in both crofting and non crofting areas was most pronounced in the earlier part of the century and has reduced somewhat post war. Sustained outmigration has selectively affected the age structure of rural communities so that some of the remoter villages have acquired an increasingly top heavy age profile. Since the 1960s this trend has been slowed and slightly reversed by the process of counterurbanisation which has increased rural populations, though it has only had a limited impact on remoter communities.

### **5.3.3 Crofting policy has facilitated the process of counterurbanisation**

Fieldwork interviews confirm that the stock of landholdings and houses in crofting areas are important factors which have attracted immigrants and return migrants to crofting townships since the 1960s. The same studies pointed to the significant role played by subsidy and grant programmes in this context. A growth in the regional tourist industry and increased opportunities for generating income in rural areas (such as investment in fish farming), have underpinned the process of counterurbanisation. Regional development policy applied through HIE and the LECs has played an important role in catalysing these economic transformations. Crofting policy and legislation has facilitated the process by maintaining a physical infrastructure and administering a fiscal programme both of which are attractions to the 'counterurbanites'. Had crofting legislation not existed it is probable that counterurbanisation would not have occurred to the extent that it has in the crofting areas.

## **5.4 CROFTING POLICY HAS HAD A POSITIVE IMPACT ON ECONOMIC WELFARE**

### **5.4.1 Grant schemes are shown to be effective in keeping people on crofts**

There is no doubt whatsoever that rural depopulation from the crofting areas would be higher if grant schemes did not exist. Recent reviews of both the CCAGS and the CBGLS have identified each of them as important factors which help to retain population in crofting areas. They influence the local economy in 2 principal ways; directly by reducing costs (and hence increasing disposable income) of the individual applicant; indirectly by stimulating demand in associated sectors of the local economy. An evaluation of the CCAGS scheme indicates that the programme has reduced outmigration from all of the crofting counties by an estimated 375-750 persons over the past decade (St Andrews Economic Consultants 1996). A similar figure for the impact of the CBGLS is more difficult to ascertain. An evaluation in 1994 (Pieda 1994) estimates that half of all successful applicants (representing as many as 4,500 people from 1,500 households over the decade) would have abandoned crofts in

the absence of CBGLS assistance. Even though this figure is probably rather high<sup>1</sup>, it does suggest that the Scheme is an extremely important factor in keeping people in crofting areas.

#### **5.4.2 Policy has only had a limited impact on increasing local incomes**

Crofting policy has never set out to create full-time jobs in rural areas and it would be wrong to assess it on this basis. Rather, it has sought to secure the foundations upon which households can base various income generating activities which together constitute a livelihood. The problem is that macro-economic changes over the past 150 years have, until relatively recently, systematically eroded the income generating opportunities in the crofting counties. So, despite the excellent foundations of secure tenure, fixed rents, and subsidies for housing and agricultural improvements crofting policy has not been able to provide the employment opportunities required to retain populations in marginal areas. The effect of macro-economic processes are further demonstrated by the strong link between income levels and migration at a regional, parish and township level. Consequently, rates of migration, not rates of natural increase, have become the principal influence on the total population of crofting communities.

#### **5.4.3 Policy has tended to emphasise the agricultural side of crofting livelihoods**

One of the principal strengths of crofting policy is that it recognises the historical and economic significance of constructing diverse livelihoods in marginal rural areas. However, at times policy and narrowly focused grant structures have undermined the diverse base of crofting livelihoods by emphasising the agricultural element over other income-generating activities. Shifting the emphasis from multi- to mono-faceted livelihoods was clearly embodied in the policy of promoting the amalgamation of crofts into larger units, implemented by the Commission in conjunction with the Farm Act of 1976. Programmes like this expose crofters to greater risk, which may be detrimental to their longer term interests, particularly when the future structure of agricultural subsidies is likely to undergo substantial transformations.

### **5.5 CROFTING POLICY HAS HELPED MAINTAIN LOCAL CULTURE AND ECOLOGY**

#### **5.5.1 Crofting legislation has underpinned cultural heritage**

It is remarkable that any Gaelic culture has survived the considerable social upheavals and sustained depopulation that the Highlands and Islands have experienced. Even though the most significant transformations had occurred before crofting legislation was implemented, it is likely that the region's cultural heritage would be even more seriously undermined if legislation had never existed at all. The most significant observation is that the ties between individual people and particular places lie at the root of Gaelic and Norse cultures, and crofting legislation has played a crucial role in maintaining that union over the past century. Even though large number of households have left, the families that remain on crofts still occupy land that has a cultural as well as economic significance to them.

---

<sup>1</sup> Given that people will often improve substandard housing, use caravans, and rent accommodation, it might be more realistic to assume that somewhere around 25% of people who received assistance would have abandoned their crofts in the absence of grants. This would reduce the figure for estimated outmigration to 2,250 people.

### **5.5.2 Policy has fostered passivity through its paternalistic outlook**

The one significant drawback of protectionist policies is that they can foster dependency and a reduced sense of self determination. This criticism is valid for crofting legislation, which has in the past denied its subjects the need to take a pro-active stance over issues of local resource management and economic development<sup>1</sup>. The contemporary shift towards community-based decision making in the form of crofting trusts represents a positive counter to this tradition of paternalism, offering crofters a greater chance to determine their own future.

### **5.5.3 Policy has little control over the extent and forms of land management**

Crofting legislation has supported livelihoods that are built upon similar land management practices over the past century. But, policy has been able to exert only limited control over how croft land is worked. As a result there are currently large areas of underutilised croft land, the management of which policy has little influence over, while the demand for crofts increases. Quite apart from the social and economic repercussions of this process, the underutilisation of croft land also has environmental consequences. Reduced cultivation of inbye land and an increased proportion of sheep to cattle on common grazings represent the 2 most significant post war changes in crofting agriculture, the latter having been strongly influenced by CAP sheep headage payments. If government wishes to reduce the adverse social and environmental impacts of poor management practices in the crofting areas, policy and legislation will need to be adapted.

## **SUMMARY OF MAIN POINTS**

- **Legislation has been partially successful in achieving its stated goals.**
- **Legislation has been highly successful in maintaining a stock of crofts.**
- **Policy has not prevented either absenteeism or multiple croft tenancies.**
- **Legislation has allowed land to stay in the hands of the same families.**
- **Legislation has not prevented land from being taken out of crofting.**
- **Crofting legislation has not prevented rural depopulation.**
- **Policy and legislation have maintained higher population densities in the crofting parishes.**
- **Policy has tended to overemphasise the agricultural side of crofting livelihoods.**
- **Legislation has underpinned cultural heritage.**

---

<sup>1</sup> This can generate a degree of apathy, for example, a survey of crofters' views, conducted by Independent Northern Consultants for the Crofters Commission in 1993, asked crofters what they saw as the greatest opportunities for the crofting way of life. 32% answered 'don't know' and no more than 4% volunteered 'the environment/ conservation', 'tourism', 'forestry', or 'community ownership' as providing opportunities.

- **Legislation and policy have fostered passivity through their paternalistic outlook.**
- **Legislation and policy have facilitated the process of counterurbanisation.**
- **Grant schemes are effective in keeping people on crofts.**
- **Policy has had only a limited impact on increasing local incomes.**
- **Legislation has had little impact on forms of land management.**

## 6 RECOMMENDATIONS

### 6.1 RECOMMENDED CHANGES WITHIN THE EXISTING LEGISLATIVE FRAMEWORK

#### **Address rural depopulation through working partnerships with other regional development bodies**

This research has clearly demonstrated that 2 principal factors which lie beyond the influence of crofting policy have a strong influence on outmigration from, and the total population of, crofting communities. These are access to services and opportunities for generating income. As regional development agencies like HIE (formerly the HIDB), the LECs, local authorities and EC initiatives all have a more direct influence on these factors than crofting policy does, it would be appropriate for the Commission to continue exploring ways of working with them. Given that remoter landward crofting communities (like Lemreway) are still losing population, it would be sensible for the Commission, in partnership with other regional development bodies, to continue developing appropriate strategies to counter this. Identifying communities which have some of the characteristics necessary to reverse the trend of rural depopulation could be the first step in such a process. This could then be followed up by delivering an appropriate package of targeted regulation and support which is defined in full partnership with the community and other relevant public or private sector bodies.

#### **Clarify and strengthen the development role of crofting policy**

This research has shown that the development aspect of crofting policy plays a central role in regenerating crofting areas. To have a greater impact on retaining rural depopulation, the Commission should look at ways of strengthening its development role so that it stimulates the creation of income generating opportunities in the crofting areas. There is no substitute for practical and direct responses to local needs. The Scottish Crofters Union has pointed out though that a clearer distinction could be made between the administrative/regulatory role of the Commission and its development/promotional role. At times these 2 activities are perceived to be in conflict and a restructuring of Commission administration may be necessary to avoid this<sup>1</sup>. Having made the appropriate administrative reforms, the development role of crofting should be strengthened either independently or in partnership with entities like the LECs and the SCU. A vigorous effort should be made to capture additional financial resources from the public sector (particularly targeting international funding) and the private sector. A continued emphasis on developing a diversity of income generating opportunities for crofters is highly relevant, as is exploring the scope for greater use of small scale appropriate technology in improving the infrastructure of remote townships.

#### **Commissioners should ask the Secretary of State to invoke the statutory powers accorded to the Commission under section 28 of the Crofters (Scotland) Act 1993**

A considerable number of crofts which are occupied, are either underutilised or not used at all. This does not represent a problem when there is little or no demand for croft land. However, that situation has now changed and the demand for crofts is likely to continue growing. The Commissioners might therefore consider invoking the latent powers assigned to them under section 28 of the Crofters (Scotland) Act 1993.

---

<sup>1</sup> The SCU cites the Croft Entrance Scheme as an example. In carrot and stick policies like this the regulatory role of the Commission is fused with its developmental role, which may cause distrust and reduce participation.

If the Secretary of State accepts their application, the Commissioners would be able to force the subletting of underutilised or poorly managed crofts. This could be a thoroughly useful legislative tool, the threat of which may be enough to stimulate better management of croft land.

#### **Improve the type and quality of data held on the Register of Crofts**

The Commission still lacks basic data about crofting and much of what is held is of questionable accuracy. This is in part because the Commission relies on crofters and landlords to supply data. Given the statutory requirement for a Register and its significance as an aid to decision-making and policy formulation, it is appropriate to ensure the information it contains is as accurate and comprehensive as possible. Forty years after its inception, the Crofters Commission is still unable to provide accurate data on the total number of crofters, the number of crofting households and the extent of accumulated croft holdings. A current review of the Register which is being undertaken by the Commission should consider what actions and financial resources are required to overcome these problems.

#### **Conduct a feasibility study into making the Register of Crofts map based and available for public consultation**

Consideration should be given to transferring the Register of Crofts data into a spatial format that is compatible with the Register of Sasines. This might involve setting up an appropriate Geographical Information System. Among other uses, such an application could aid administration and regulation, facilitate integrated development planning with other bodies, improve policy making, and clarify the extent of any disputed boundaries. But this is only worth doing if the data held on the Register can be improved and guaranteed to a certain degree of accuracy. The feasibility study should conduct a full cost benefit analysis as well as technical appraisal and consider whether establishing a map based Register of Crofts is in the interests of the crofting community. One way of testing the relevance of such applications to the work of the Commission would be to conduct a pilot study over a limited area such as Islay.

#### **Set up a work group to consider the social, economic and environmental impacts for crofting communities of CAP sheep headage subsidies being removed**

Sheep headage subsidies currently represent an important source of income for crofters but it is likely that CAP reforms may lead to a substantial reduction in these subsidy payments in the future. The Commission should consider the potential impacts of such a change in policy and devise an appropriate strategies and responses to it. It may be appropriate to give consideration to the development and introduction of alternative grant schemes, similar to the old cropping grants, which keep land being worked yet also maintain biodiversity. The correct political channels should be explored so that crofters interests are fully represented in the developmental or negotiation phases of replacement schemes.

#### **Develop in house expertise in conducting participatory rural appraisals for use in policy development, administration and review**

The Commission should learn from contemporary experiences of community resource management and participative rural planning both in other parts of Scotland and abroad. It might be appropriate to assign one person to develop expertise in this area so that they acquire familiarity with the growing body of literature on the subject and receive training in participative appraisal techniques. These skills and knowledge can

be usefully applied to the contemporary crofting context and the Commission should ensure that they feed back into practical responses to local priorities. (See appendix F).

**Assign a member of staff to liaise with the research community**

The Commission should maintain good relations with the Scottish academic community and adopt a proactive stance towards directing and managing research programmes on crofting issues. One person who is charged with these responsibilities would be well placed to involve MSc students in crofting research, encouraging them to focus their studies on issues that are priorities to the Commission. The same person could form a useful link between other research institutions with whom the Commission may want to develop future partnerships. (See appendix G).

**Conduct an internal study into the extent of accumulated croft holdings**

This can be undertaken on the basis of information already collected in the Township Surveys, together with local knowledge held by Commissioners and Assessors. It would be helpful to know how widespread this phenomenon is and to identify which areas have the greatest concentration of accumulated croft holdings. Further, it is probably helpful to know what sort of people have accumulated holdings (ie younger or older members of the crofting community) and see whether or not accumulated holdings are being worked. It would be worth examining the feasibility of meeting the growing demand for croft land with stronger interventions to reallocate accumulated holdings and force tenancies where appropriate.

**Examine the extent to which availability of private sector credit (mortgages) is linked to the decrofting of land and explore what avenues exist to regulate it**

In areas like Orkney a direct relationship between decrofting and the availability of private sector credit is having a significant impact on land tenure and is greatly accelerating the speed at which land is decrofted. The Commission might consider studying this process in greater depth and explore relevant mechanisms for regulating it. Attention could focus on what the likely impact of removing (a) the right to buy; and (b) the possibility of whole croft decroftings, would be on this process.

## 6.2 RECOMMENDATIONS ARISING FROM THE CONSULTATION EXERCISE

The recommendations that follow arise from the results of a wider consultation exercise which was conducted alongside the research. Opinions were canvassed from a variety of crofters, Assessors, landowners, Grazings Clerks, academics, and solicitors. Formal responses were also obtained from The Scottish Crofters Union, The Scottish Landowners Federation and The Committee on Crofting Law. Formal letters of response are presented in Appendix E. The principal points arising from this exercise are set out below.

- **Have procedures changed so that term dates had no significance in assignments but that transfer of tenancy could take place 14 days after issue of written consent by the Crofters Commission, transfer to be completed by incoming tenant producing or registering agreement or receipt of outgoing crofter.**



- Consider, within the context of the Crofters (Scotland) Act, how to promote and facilitate a greater decentralisation of decision making in the administration and regulation of croft land and resources.

### 6.3 RECOMMENDATIONS FOR CHANGES IN THE LEGISLATIVE FRAMEWORK

A working group should be established to examine and promote any appropriate reviews to the principles and wording of the 1976 Crofters Scotland Act, as it is questionable whether this legislation works in the interests of the crofting community.

All groups that were consulted about crofting policy and legislation registered their dissatisfaction with the 1976 Act. Concern relates to the ease with which land can be taken out of crofting and subsequently sold. This threatens to reduce the amount of land under crofting management and undermines the work of the Commission in regulating the allocation of croft land. Further, it favours the creation of absentee landowners. A review group could include representatives from the Crofters Commission, the SCU, SLF, the Crofting Law group and the Committee on Crofting Law. The working agenda might consider the problems associated with the 1976 Act, identify the legislative clauses that are problematic, draft alternative legislation and promote its consideration by Parliament.

#### **Look at developing stronger controls over assignment**

While scrutiny of the 1976 Act represents the most important legislative area in which attention should be focused with other bodies, the Commission might think of developing internal discussions over one other question which could merit legislative reform. It concerns developing appropriate legislative mechanisms for the Commission to gain a stronger control over assignments. 80% of crofts are transferred through family assignments, even though Grazings Clerks, Commissioners and the SCU all agree that in some circumstances family assignments do not necessarily benefit the local community. Occasionally crofts are assigned to relatives whose real interest lies in decrofting the land and selling it for its development value. While the Commission can influence the allocation of the remaining 20% of croft tenancy transfers, in reality it only has powers of veto over the nominated recipient of non family assignments. It is worth noting that in situations where the Commission has an influence over assignments, assignees tend to be significantly younger than is the case with family assignments. For example, the average age of assignees under the Croft Entrants Scheme is 28, while the equivalent figure for family assignments is 40. Given that this is an important mechanism for rejuvenating townships, it is questionable whether the Commissions' currently limited legal powers over assignments actually favours the best interests of the crofting community.

## 7 BIBLIOGRAPY OF PRINCIPAL TEXTS

**Arkleton Seminar, (1982).** Report for the Arkleton Trust. Institutional Approaches to Rural Development in Less Favoured Areas of Europe.

**Arkleton International Seminar. (1993)** Briefing Paper. Future Issues and Research needs in European Rural Development. Seminar Tarland, Aberdeen. January 1993.

**Arkleton Trust Research Limited (1990)** New entrants to Crofting. A Report for the Highlands and Islands Development Board.

**Armstrong, A M & Mather, A S. (1983).** Land Ownership and Land Use in the Highlands. Aberdeen University.

**Brown, K (1991).** Crofter Forestry. A report to the Nature Conservancy Council for Scotland.

**Bryden, J (1995).** Community Participation in Rural Policy. Scottish Office Research Department.

**Bryden, J (1987)** Crofting in the European Context. Scottish Geographical Magazine 103, No. 2 pp.100-104.

**Bryden, J & Houston G. (1976)** Agrarian Change in the Scottish Highlands. Martin Robertson, London.

**Bryden, J M & Fuller, A M. (1988).** Pluriactivity as a Rural Development Option. The Arkleton Trust.

**Bryden, J Fraser, S, Houston, G & Robertson, A. (1990)** The Future of the DAFS estates in Skye and Raasay. A report for the Highlands and Islands Development Board and the Scottish Crofters Union.

**Caird, J B (1958)** Park: A geographical Study of a Lewis Crofting District. The University of Glasgow, Department of Geaography.

**Caird, J B (1972).** Changes in the Highlands and Islands of Scotland 1951-1971. Geoforum 12.

**Coull, J R. (1962)** The Geography of Crofting in Scotland. PhD dissertation, Department of Geography. University of Aberdeen.

**Crofters Commission, (1955-1994).** Annual Reports.

**Crofters Commission, (1991).** Crofting in the 1990's.

**Crofters Commission, (1992)** A Guide to Crofter Forestry.

**Crofters Commission, (1993).** Survey of Crofters Views.

**Crofters Commission**, (1995/96). Operational Plan. (Internal document).

**Fraser Darling, F** (1955) West Highland Survey. An Essay in Human Ecology. Oxford University Press, Oxford.

**Government Statistical Service** (1992) 1991 Census. Office of Population Censuses and Surveys. Genral Register Office Scotland, Edinburgh.

**Grant, S J** (1987) Government Agencies and the Highlands Since 1945. Scottish Geographical Society magazine, Vol. 103 No.2 pp 95-100.

**Highlands and Islands Development Board** (1985). Incomes and earnings in the Highlands and Islands of Scotland. Mackay Consultants & Peida. January 1985.

**Highlands and Islands Development Board.** (1980). Interim Impact Assessment of the North West Development Programme. University of Aberdeen, Department of Land Economy and the Arkleton Trust. January 1980.

**Highlands and Islands Development Board.** (1980). Comparative Study of Economic and Social Indicators in the Mezzogiorno, Ireland, Northern Ireland and the Highlands and Islands. Arkleton Trust.

**Highlands and Islands Development Board.** (1990). The Highlands and Islands in Statistics. Nov. 1990. Inverness.

**HMSO** (1994) Rural Lifestyles and Rural Deprivation. HMSO Parliamentary briefs. August 1994.

**HMSO** (1993) The Crofters (Scotland) Act.

**Hunter, J** (1976) The Making of the Crofting Community. John Donald, Edinburgh.

**Hunter, J** (1991) The Claim of Crofting: The Scottish Highlands and Islands 1930-1990. Mainstream Press

**Hunter, J** (1995) On the Other side of Sorrow. Nature and People in the Scottish Highlands. Mainstream press.

**Hunter, J** (1985) New Opportunities in Farming; Proposals for creating new farms in Scotland's hill and upland areas. A Rural Forum discussion paper.

**Independent Northern Consultants** (1993) Survey of Crofters Views for the Crofters Commission.

**Jones, H** (1981) The spatial pattern of recent migration in Northern Scotland. In recent migration in Northern Scotland: patterns, processes and impact. (Huw. Jones Ed.) North sea oil panel occasional paper. (No.13).

**Kinloch, M H and Dalton, G E.** (1989). Scottish Crofters Union: A Survey of Crofting Incomes-1988. Scottish Agricultural Colleges Economic Report No. 15.

**Kinloch, M H and Dalton, G E.** (1990). Scottish Crofters Union: A Survey of Crofting Incomes- 1989. Scottish Agricultural Colleges Economic Report No. 23.

**Knox, P L Cottam, M.B.** (1982). The Highlands and Islands a Social Profile. Highlands and Islands Development Board.

**Ledwidge, D** (1991) Agriculture its role in the future of crofting. MSc Thesis, University of Aberdeen.

**Leneman, L** (1989) Fit for Heroes? Land Settlement in Scotland after World War I. Aberdeen University Press.

**Lumb, R** (1980). Migration in the Highlands and Islands of Scotland. Institute for the study of sparsely populated areas (ISSPA). Report No.3. University of Aberdeen.

**MacCuish, D J.** (1987) Crofting Legislation since 1886. The Scottish Geographical Magazine Vol.103 No.2 pp. 90-94.

**MacCuish, D J & Flyn, D.** (1990) Crofting Law. Butterwoths/Law Society of Scotland.

**McDonald, D** (1978) Lewis - A History of the Island. Gordon Wright Publishing, Edinburgh.

**McGregor, B D.** Crofting, Demography and Land use. A Case Study of North West Sutherland. Scottish Geographical Magazine 102. pp 45-56.

**McGregor, B D.** (1993). Land Tenure in Scotland. The John McEwen Memorial Lecture, Aberfeldy, Perth.

**McIntosh, A Whiteman, A & Morgan, D.** (1994). Reclaiming Scotland's Highlands: Clearance, Conflict and Crofting. The Ecologist Vol 24, No.2 pp 64-71.

**MacKay Consultants.** (1989). North West Demographic Survey. Report for Highlands and Islands Development Board, Inverness.

**Maclean, C** (1995) Rural Renaissance: a Scottish Highland Case Study. MSc Dissertation, Department of Sociology, University of Edinburgh.

**McLeery, A** (1987). Scottish Geographical Magazine 62 pp.171-155. "The Highland Board Reviewed: A Note on the Analysis of Economic Change".

**Mewett, P G** (1977) Occupational Pluralism in Crofting: The influence of non-croft work on the patterns of crofting agriculture on the Isle of Lewis since about 1850. Scottish Journal of Sociology 2. No.1 pp. 31-49.

**Moisely, H A** (1962). Population changes and the Highland Problem 1951-61. Scottish Studies 10.1