

Minister for Environment and Climate Change
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13 November 2013

Dear Rob

**RURAL AFFAIRS, CLIMATE CHANGE AND ENVIRONMENT COMMITTEE –
WEDNESDAY 18 SEPTEMBER 2013**

Thank you for the opportunity to appear before the Committee on Wednesday 18 September 2013. I undertook to come back to the committee with responses to a number of questions raised in relation to land issues. Please accept my apology for the delay in responding.

On the specific issues raised, I have set out our response below:

- You asked for the Cabinet Secretary to send the Committee details of who people should contact to identify possible ag tenancy agreements effected by the Salvesen v Riddell supreme court ruling - letter issued to you on 10/10/2013 on this matter.
- You asked for me to send the Committee information on the estates charter, and whether it will be reviewed. I can confirm that plans will be put in place to review all elements of the Estates Charter. This exercise will be completed in 2014 and will involve consultation with a group of relevant stakeholders and I undertake to keep the Committee informed of this work.
- You asked for me to provide the Committee with information regarding the current membership of the Raasay Crofters Association.

I understand that the Raasay Crofters' Association (RCrA) was set up in 1994, Specifically in order to manage the shooting and fishing rights on Raasay on behalf of local crofters. Membership of the Association is open to crofters and others involved in agriculture on Raasay. We have established that the specific details of RCrA membership is as set out below:

- John Willie Gillies-Chairman – tenant crofter
 - Anne Gillies-Secretary – wife of tenant crofter/farmer
 - Calum MacKay – tenant crofter
 - Rebecca MacKay- tenant crofter and original founder of the group.
 - Nairn Duncan – husband of tenant crofter
 - Wilma Duncan – tenant crofter
 - Andrew Gillies- tenant crofter and farmer
 - Morag Anna Mitchell-tenant crofter
 - Alex MacLeod- tenant crofter
 - Norman Gillies-son of tenant crofter/farmer
 - Donald MacKenzie-tenant crofter
 - Donnie MacLeod-tenant crofter
 - Christine Gillies-daughter of tenant crofter/farmer
 - Donnie Oliphant-owner occupier crofter
 - James Gillies-tenant crofter
- The Committee also asked that I send the Committee information on the Scottish Government's response to the implications on decision making highlighted by the original Raasay sporting lease award – i.e. what implications decisions delegated to officials and guidance officials may have on making such decisions and the degree to which there may be a future need for Ministerial involvement.

In that regard, I can inform the committee that in all future cases, existing tenants will be invited (ahead of lease expiry) to provide reasons why a lease renewal should not be placed on the open market. The legal notice of termination will specifically request an existing tenant to engage with Scottish Government during the period of notice. To ensure community interests are taken fully into account, Ministers will consider all cases where this is likely to result in a local community (group) failing to secure tenure (where they have been the leaseholder). In addition, conditions will be inserted into such leases stating that an element of community benefit must be delivered and this will then form a key criteria on which the quality of any bid will be assessed.

I hope this information is of value in assisting the committee's work on matters relating to Raasay and wider land issues.

Kind regards



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