



**CROFTING COMMISSION
COIMISEAN NA CROITEARACHD**

COMMISSION MEETING

17 DECEMBER 2025

**CROFTING COMMISSION MEETING
ST KILDA, GREAT GLEN HOUSE
17 DECEMBER 2025 AT 0900 hrs**

AGENDA

- | | | |
|--|--------------------------------|---|
| 1 APOLOGIES | <i>Oral</i> | <i>Standing Item</i> |
| 2 DECLARATIONS OF INTEREST | <i>Oral</i> | <i>Standing Item</i> |
| 3 DRAFT MINUTES FROM 29 OCTOBER 2025* | <i>Minutes</i> | <i>For approval</i> |
| 4 REVIEW OF ACTION POINTS FROM PREVIOUS MEETING
(of 29 October 2025) | <i>Paper</i> | <i>For info</i> |
| 5 MATTERS ARISING FROM PREVIOUS MINUTES | <i>Oral</i> | <i>Standing Item</i> |
| 6 PRESENTATION FROM FRANCESCO BERTOLDI –
UPDATE ON NATIONAL ISLANDS PLAN | <i>Oral</i> | <i>For info</i> |
| 7 AUDIT & FINANCE COMMITTEE REPORT
<i>(a) Update from Chair of Committee</i>
<i>(b) Draft Minutes from 5 November 2025*</i> | <i>Paper</i>
<i>Minutes</i> | <i>Standing Item</i>
<i>For info</i> |
| 8 SUBLET AND SHORT TERM LET POLICY | <i>Paper</i> | <i>For approval</i> |
| 9 CONSENT TO BE ABSENT POLICY | <i>Paper</i> | <i>For approval</i> |
| 10 UPDATE ON ANNUAL NOTICE CAMPAIGN | <i>Oral</i> | <i>For info</i> |
| 11 WINTER PUBLIC MEETINGS PROGRAMME | <i>Paper</i> | <i>For discussion</i> |
| 12 REGULATORY APPLICATION TURNAROUND TIMES UPDATE | <i>Paper</i> | <i>For info</i> |
| 13 DATE OF NEXT MEETING
<i>25 February 2026 – St Kilda</i> | | |
| 14 ANY URGENT BUSINESS | | |
| 15 EXCLUSION OF THE PRESS AND PUBLIC | | |
| 16 ANY URGENT BUSINESS | | |

Not in public copy

APOLOGIES – ORAL

DECLARATIONS OF INTEREST – ORAL

CROFTING COMMISSION MEETING

17 December 2025

Report by the Chief Executive

Review of Action Points from 29 October 2025

ITEM	ACTION	RESPONSIBLE OFFICER	DEADLINE	DATE COMPLETED	COMMENTS
1	Expand narrative in Performance Report to explain why the Vision for Crofting has not yet been published	Director of Operations	For Q3		
2	Bring Residency Policy Implementation Plan to December Board meeting	Director of Operations	For December Board		
3	CEO to consider options for establishing a short-life project oversight group for CIS replacement and inform the Board as soon as possible	CEO	As soon as possible	03/11/2025	
4	CEO to take idea away of additional statement in the Annual Notice letter to reflect that the Commission may check if someone records they are ordinarily resident.	CEO	As soon as possible	03/11/2025	

MATTERS ARISING FROM PREVIOUS MINUTES – ORAL

UPDATE ON NATIONAL ISLANDS PLAN
Francesco Bertoldi

CROFTING COMMISSION MEETING

17 December 2025

Report by the Chair of Audit & Finance Committee

Update from Chair of Committee

SUMMARY

The purpose of this paper is to provide the Board with an update of the Audit & Finance Committee meeting of 5 November 2025.

BACKGROUND

The Board has established an Audit & Finance Committee (AFC) as a Committee of the Crofting Commission Board to support Board Members in their responsibilities for issues of risk, control and governance and associated assurance through a process of constructive challenge.

CURRENT POSITION

The Committee Chair will provide Board Members with a verbal update of the AFC meeting of 5 November. Full details are in the following draft minute of the meeting.

Key points for Board Members to note –

1. We reviewed financial performance for Q2 and noted a projected underspend position of £160k. It is anticipated that the Executive Team will reallocate a proportion of this resource to other operational priorities.
2. We reviewed an initial operational draft budget for 2026/27 and noted a request for 5.431m which represents an 11.5% increase on the current year. Stripping out additional resource request linked to the Crofting Bill, we are looking at a 4.3% increase within the current staff structure. In addition, our non-staff costs are actually forecast to decrease next year if you strip out the statutory Provision of Returning Officer Electoral Services.
3. The Commission is also requesting £0.56M to fund the replacement of the Croft Information System. The Chief Executive is hoping to receive feedback from the Scottish Government within the current financial year regards the business case that was submitted in August.
4. We reviewed operational and strategic risk registers, noting that risks were stable (static or falling) and two new risks have been added to the SRR by the Board at its October meeting (S14 & S15).
5. We reviewed a report on progress with outstanding audit recommendations and agreed to discharge three outstanding audit recommendations now completed.
6. We reviewed/approved the Board Scheme of Financial Delegation, Standing Financial Instructions, Committee Terms of Reference, Electronic Card Purchasing Policy.
7. We reviewed the Commission's Business Continuity Plan and are content it is comprehensive and fit for purpose.

8. We noted a positive report on complaints handling with a continuation in the downward trend in number of complaints received.
9. Commissioner Mackenzie advised the Committee of her intention to step down as Chair of the Committee.

RECOMMENDATION

The Committee recommends that the Board should –

- **Appoint a successor to Chair the Audit & Finance Committee.**

Date 6 November 2025

Author Mairi Renwick Mackenzie, Chair, Audit & Finance Committee

CROFTING COMMISSION MEETING

17 December 2025

Report by the Director of Operations

Sublet and Short Term Let Policy

SUMMARY

This paper presents a draft sublet and short term let policy. This is based on direction from the Board, current policy and practice at the Commission and input from staff. If approved, this will be published as interim policy guidance and it will also form the basis for the sublet and short term let section of the next policy plan in 2027.

BACKGROUND

This paper presents a draft of an interim policy statement on sublet and short term let. This has been written based on the Board discussion at the scoping meeting in November 2025. The text is based on feedback from the Board, with input from Commission staff. The current policy on sublet and short term let is found in the [current policy plan](#) on page 10, paragraphs 58 and 59.

If approved, this draft will be published as an interim policy statement and will also form the basis for the next policy plan. The text may need to be adapted slightly as other related policies evolve and when it is published alongside other policies.

INTERIM POLICY ON SUBLET AND SHORT TERM LET - DRAFT

Policy context

A croft which is fully used and has a resident crofter, offers considerable benefits to rural communities. These include population retention, social benefits, economic benefits and continuity of traditional cultural practices. However, there are situations in which a crofter is unable to be resident and/or to actively use their croft for a period of time. A sublet or short term let can be invaluable in these situations. They ensure the benefits of the croft are maximised in the short term and allow time to put in place a more permanent arrangement to resolve any duties breaches. Crofts can also become harder to bring back into active use if they are left inactive for a period, so sublets and short term lets are valuable to ensure continuity for agricultural productivity and other uses.

The crofter population is ageing to an even greater degree than that seen in the wider community in crofting areas. This presents an issue for the continuity of crofting. It is important that traditional crofting skills are passed on and there are enough active crofters to put these into practice. New entrants to crofting are important to help balance the demographic of crofters, both for crofting and the wider community. They also bring in new skills, ideas and enthusiasm to crofting communities. For new entrants a sublet or short term let can offer a point of entry into crofting. This allows them to develop their crofting skills and see if taking on a croft on a permanent basis is right for them. Croft availability can be an obstacle and this

option offers a valuable route of entry, which may lead to further crofting opportunities. In addition to new entrants, existing crofters can benefit from sublets and short term lets. These can help an existing crofter to have a profitable crofting business, which benefits both the crofter and the wider economy.

The Commission's priority is to resolve duties breaches in a permanent way, such as via an assignation, transfer of an owner-occupied croft or the crofter taking up residence. The resolution of duties breaches on a permanent basis will maximise the benefits of crofting to communities and local populations. Sublets and short term lets have an important role in achieving this overall goal, providing they are only used on a temporary basis. This involves striking a balance between the benefits associated with long term resolutions of breaches of duty with the benefits, often more short term, associated with sublets and short term lets.

Policy aims

1. To increase the number of crofts with a crofter who is meeting their crofting duties on a permanent basis.
2. To encourage opportunities for new entrant crofters.

Policy principles

- The Commission will take into account several factors in assessing sublets and short term lets. These include the suitability of the proposed subtenant, the interests of the estate, the interests of the crofting community, the sustainable development of that crofting community, the interests of the public and any valid objections¹. If the applying crofter is in breach of any crofting duties, the Commission will also consider their reasons for not meeting their duties, their plans to resolve the duties breach at the end of the period and may also consider their commitment to their croft.
- The applying crofter may be asked for evidence to prove their compliance with their statutory duties.
- Sublets and short term lets will typically be granted to crofters who are not in breach of their crofting duties but are looking to give an opportunity to a new entrant or existing crofter. Crofters are encouraged to sublet or short term let to new entrants, where possible. The Commission will typically grant sublets or short term lets in these instances for up to 10 years.
- Sublets and short term lets may be used to address a breach of duty on a temporary basis. This is typically 5 years or less and the applying crofter is expected to meet their crofting duties on a permanent basis at or before the end of the period of the sublet or short term let.
- Where the crofter applying is in breach of any of their duties, they must explain why they are not currently in a position to comply with their statutory duties. Evidence may be required to demonstrate this. The Commission will take this into account in its assessment of the application and particularly with regard to its assessment of the crofter's intention to comply with their statutory duties at the end of the sublet or short term let. The Commission would typically consider the following as acceptable reasons for not complying with their statutory duties, but this list is illustrative rather than exhaustive:
 - Health reasons
 - Employment reasons
 - Family or caring commitments that are time limited
 - Undertaking training or educational course
 - Building a new house on the croft or renovating a house on the croft
 - Time to acquire housing local to the croft
 - Recently succeeded the croft and time required to put plans in place

¹ Sections 58A (4, 5 and 5A) of the Crofters (Scotland) Act 1993, as amended by the Crofting Reform Act 2007 and the Crofting Reform Act 2010 define what objections should be considered.

- Where the applicant is in breach of a duty, the Commission expects a clear commitment as to how they intend to resolve the duties breach on a permanent basis. The applicant should demonstrate how they intend to take action to resolve the breach before or at the end of the period of sublet or short term let. Evidence may be required to demonstrate this. If it is apparent that the crofter does not have a realistic plan as to how they will resolve their duties breach in a permanent way, then their application is likely to be refused.
- In cases where the crofter is not currently meeting their statutory duties and there is uncertainty or a lack of evidence with respect to the crofter's intention to comply with their duties at the end of the sublet or short term let, the Commission will seek information about the crofter's long-term commitment to their croft. The crofter is expected to show a reasonable degree of long-term commitment to the croft and the Commission will take this into account when deciding the case. Long-term commitment may be demonstrated through: the state of their croft (a well-maintained croft would indicate commitment to the croft); investment in their croft; and involvement with the crofting community (such as involvement with the grazings committee). Involvement with the local community, such as involvement with community organisations, may also be appropriate to consider depending on the circumstances of the case.
- Where the sublet or short term let has been put in place because the crofter is not currently in a position to comply with their statutory duties, the Commission will follow up at the end of the sublet or short term let to check that the crofter is complying with their statutory duties. Evidence may be required to demonstrate this.
- In cases where the crofter applying is not meeting one or more of their crofting duties, the Commission will generally only approve sublets or short term lets for up to 3 years duration where the proposed subtenant is an existing crofter (they are a crofter registered in the Register of Crofts at the time of the application).
- In cases where the crofter applying is not meeting one or more of their crofting duties, the Commission will generally only approve sublets or short term lets for up to 5 years duration where the proposed subtenant is a new entrant (they are not currently a crofter registered in the Register of Crofts at the time of the application).
- The Commission will only approve applications where the proposed subtenant can meet all of the crofting duties. Evidence will generally be required to demonstrate this. If the proposed subtenant cannot demonstrate their ability and intention to meet the crofting duties, then the application will be refused.
- In consideration of the duty to cultivate or put to purposeful use, the Commission will consider the plans of the proposed subtenant for the croft (and/or grazings share). They will also consider the skills of the proposed subtenant to carry out their proposals, or how they intend to upskill themselves as needed.
- The Commission may approve a sublet or short term let of part of a croft. The applicant should demonstrate how the remainder of the croft (or grazings share if relevant) will be used or otherwise why it is not included. If a grazings share is part of the croft, but is not included as part of the let, then the applicant should indicate how this will be used.
- A sublet or short term let is generally not allowed when the crofter has had another sublet or short term let, or a consent to be absent on the croft within the last two years.
- Crofters should not sublet or short term let all or part of their croft without going through the proper application process and approval from the Commission. Any sublet without Commission consent is null and void¹ and a breach of the statutory conditions². This breach of statutory conditions could lead to the crofter's removal from the tenancy.³
- The applying crofter is responsible for drawing up his or her own subtenancy or short lease agreement, subject to any conditions the Commission makes when giving consent. The Commission does not draw up or effect the subtenancy agreement.

¹ Crofters (Scotland) Act 1993, s 27(2)

² Crofters (Scotland) Act 1993, s 5(1), Sch 2, para 6

³ Note that an exception to this is that the grazings committee have the power to reallocate unused grazing shares on a seasonal basis.

Table to show the length of sublet or short term let that may be approved in different situations

Situation of the main crofter (the applicant)	Proposed subtenant	Maximum length of time that is generally approved for a sublet or short term let
Meeting their crofting duties (and looking to provide an opportunity)	Either existing crofter or new entrant crofter	10 years
Not meeting their residency and/or cultivation duty	Existing crofter	3 years
Not meeting their residency duty and/or cultivation duty	New entrant crofter	5 years

What will success look like

- An increase in the number of crofts where the crofter is meeting their duties on a permanent basis. This will be seen by crofters remedying any duties breach before or at the end of a sublet or short term let.
- An increase in new entrants obtaining sublets or short term lets.

IMPACTS AND RISKS

The outlined policy will impact the procedure for sublet and short term let as it introduces more checks, particularly around how the crofter will remedy any duties breach on a permanent basis. This may make the processing slightly longer; it will mean changes are required to parameters and may mean more cases are escalated to Tier 2. These impacts may put pressure on Commission resources and therefore could negatively impact key performance indicators. Since most of the phrasing in the policy is that the Commission *may* require evidence, this allows the Commission to implement the policy in a gradual way to mitigate the impacts on resources. The changes will take time to implement and will put short term pressures on teams. The number of changes currently underway and anticipated in the Commission may mean there will be a lag before this policy can be fully implemented.

The relatively strict approach to sublet and short term let, as presented in the draft policy, carries the risk of successful appeals to the Scottish Land Court from crofters who have had their application refused. This is especially the case if they are in breach of duties and the refusal has resulted in enforcement procedures. In using different timescales for existing crofters and new entrants for cases where the applying crofter is in breach, could have a risk of being seen to discriminate against existing crofters. This could mean if a case is refused in relation to this aspect of the policy that it could be at risk of the Commission losing an appeal. The potential increase in sublet refusals will also mean increased pressures on the residency and land use team, regulatory support team and legal in handling subsequent enforcement actions and appeals.

The more detailed checking of the applying crofter, in terms of their reasons for not meeting any duties and their long-term plans to remedy them, brings sublet and short term let in line with consent to be absent. This means that these three different application types, all of which prevent the Commission from taking enforcement action on a crofter, are processed consistently with respect to duties considerations. If the policy is approved, a small adjustment will be made to the Residency policy in order to remove the principle that crofters should obtain a consent to be absent as well as a sublet or short term let where they are not resident. This policy intention will instead be enacted by ensuring that sublet and short term let are considering the same factors as consent to be absent. This will allow greater efficiency as fewer applications will be processed to achieve this.

Consideration of some of the evidence associated with sublet and short term let applications may involve sensitive information such as medical information. The processing of this information carries higher risks as this information is classed as special category data under UK GDPR. This will need to be factored into the implementation and procedures.

A consideration is that the policy aim to improve residency on a permanent basis will need to be measured over a long time scale to see the result of this and other Commission policies with this aim. It would be valuable to keep the policy consistent for at least six years to enable this to be measured.

Impact:	Comments
Financial	n/a
Legal/Political	Expansion and clarification of the sublet and short term let section of the policy plan is beneficial to the Commission and provides clarity to applicants, agents and the Land Court. Changes to the policy and a stricter approach to this means there is a risk of successful appeals to the Land Court.
HR/staff resources	Changes to the sublet and short term let process to include more detailed checks on why the crofter is in breach of any duties and how they intend to resolve the breaches in the long term (if applicable) will mean extra checks in relation to applications which may put pressure on resources for the Regulatory Team, the Regulatory Support Teams and legal.
Consumer Duty Guidance	Expansion and clarity of the sublet and short term let section of the policy plan benefits consumers.

<p>RECOMMENDATION</p> <p>The Board is invited to approve the interim policy on sublet and short term let.</p>

Date 26 November 2025

Author Heather Mack, Head of Policy

CROFTING COMMISSION MEETING

17 December 2025

Report by the Director of Operations

Consent to be Absent Policy

SUMMARY

This paper presents a draft consent to be absent policy. This is based on direction from the Board, current policy and practice at the Commission and input from staff. If approved this will be published as interim policy guidance and it will also form the basis for the consent to be absent section of the next policy plan in 2027.

BACKGROUND

This paper presents a draft of an interim policy statement on consent to be absent. This has been written based on the Board discussion at the scoping meeting in November 2025. The text is based on feedback from the Board, with input from Commission staff. The current policy on consent to be absent is found in the [current policy plan](#) on page 7, paragraph 34.

If approved, this draft will be published as an interim policy statement and will also form the basis for the next policy plan. The text may need to be adapted slightly as other related policies evolve and when it is published alongside other policies.

INTERIM POLICY ON CONSENT TO BE ABSENT and EXTENSION OF CONSENT TO BE ABSENT – DRAFT

Policy context

A croft which is fully used and has a resident crofter, offers considerable benefits to rural communities. These include population retention, social benefits, economic benefits, and continuity of traditional cultural practices. However, there are situations in which a crofter is unable to meet the residency duty for their croft for a temporary period but are able to meet the duty to cultivate or put the croft to another purposeful use. In these cases, consent to be absent is a valuable option for crofters who are committed to their croft and will return to the croft. This supports continuity of familial ties to a croft, the development of crofters who are undertaking education or temporary employment opportunities elsewhere, and flexibility for crofters with health issues or those who have caring responsibilities. The Commission is committed to resolving residency breaches on a permanent basis and recognises the value of consent to be absent for crofters in certain circumstances and for limited periods of time.

Policy aims

1. Resolving residency breaches on a permanent basis

Policy principles

- Consent to be absent is required in all situations where the crofter is not resident within 32 km of their croft, other than those which have an official sublet or short-term let.
- Consent to be absent should only be issued where there are clear reasons for the absence. Reasons which may be approved for consent to be absent are listed below. These reasons are not exhaustive. Indications of the length of time which may be considered appropriate for the different reasons are included in brackets.
 - Employment reasons (6 months to 3 years)
 - Building a new house on the croft or renovating a house on the croft (6 months to 3 years)
 - Time to acquire housing local to the croft (6 months to 18 months)
 - In the process of moving to the croft (6 months to 1 year)
 - Family or caring commitments that are time limited (6 months to 3 years)
 - Impending retirement (6 months to 3 years)
 - Recently succeeded to the croft and time required to take up residence or put another plan in place (6 months to 1 year)
 - Health reasons (6 months to 3 years)
 - Undertaking training or an educational course (6 months to 4 years¹)
- The length of consent to be absent granted is very much dependent on the individual circumstances. The list above should not be seen as prescriptive in terms of the lengths of time given. The Commission will grant consent to be absent for the minimum time possible in accordance with the crofter's individual circumstances. In general consent to be absent will be granted for three years or less, apart from in exceptional circumstances.
- The crofter should provide details of how they will meet the duty to cultivate or put the croft to another purposeful use during their absence period. Evidence may be required to demonstrate this. If the crofter does not satisfactorily demonstrate how they will continue to meet this duty throughout the absence period, their application is likely to be refused.
- The crofter should detail how they intend to meet the residency requirement at the end of the consent to be absent period. Evidence may be required to demonstrate this. If the crofter shows an apparent lack of commitment to meet the residency duty at the end of the absence period, the application is likely to be refused.
- The crofter is expected to show a reasonable degree of long-term commitment to their croft. They should indicate how they are committed to the croft, crofting community and local community. This may include the state of the croft, investment in the croft, involvement in shared work with neighbouring crofts/common grazings, involvement with the grazings committee and involvement with local community organisations. Evidence may be required to demonstrate this. If the crofter does not demonstrate a long-term commitment to their croft, then their application may be refused.
- Consent to be absent is generally not allowed when the crofter has had another consent to be absent or a sublet or short term let within the last two years.
- Extension of consent to be absent can be used when the crofter continues to require absence from the croft due to unforeseen circumstances. The crofter must evidence their ongoing commitment to the croft, their reasons for being absent and their intention to take up residence at the end of the consent to be absent. These are detailed further in the relevant principles above. If any of these are not satisfactory then the application is likely to be refused.
- Extension of consent to be absent may be granted for up to a year, but this will be dependent on the individual circumstances, including the initial length of absence period. The Commission view is that crofters should have an overall absence time (of consent to be absent and extension of consent to be absent combined) of no more than four years. Overall periods of consent to be absent longer than four years will only be granted in very exceptional circumstances.

¹ 4 years is specified as this is a typical undergraduate course length. This is an exception to the usual 3 year maximum for consent to be absent.

What will success look like

- An increase in the number of crofts where the crofter is meeting their duties on a permanent basis.

IMPACTS AND RISKS

Consent to be absent is currently specified in the legislation that it should be decided by the Commission within 28 days¹. A provision in section 2 of the Crofting and Scottish Land Court Bill² would remove this timescale, thereby allowing more time for the Commission to process these and ensure all the pertinent information is received from the applicant before making a decision. This will be a factor in the full implementation of the policy. Some of the policy considerations reference the use of evidence, which may mean a longer application process and can only be implemented after the legislation comes into force.

The policy above is more detailed and stricter than the current approach to consent to be absent. This change is likely to result in more refusals and increasing the potential for appeals. There is also likely to be shorter timescales issued, which may result in an increase in extension of consent to be absent, in addition to the potential for more follow up work for the Residency and Land Use (RALU) team if the breach is not fixed at the end of the consent to be absent or if they are refused. The process is also likely to take more resource and time if evidence is being requested. This will increase pressures on staff resources in the RALU and regulatory support teams.

Considering the other changes currently being made within the Commission, there may be a lag before this policy can be fully implemented. It will mean changes to procedures, forms, online applications and information in documents and the website. Additionally, it may be sensible to time the policy with when the crofting legislation regarding this application¹ comes into force.

Consideration of some of the evidence associated with these applications may involve sensitive information such as medical information. Processing of this information carries higher risks as this information is classed as special category data under UK GDPR. This will need to be factored into the implementation and procedures.

Impact:	Comments
Financial	n/a
Legal/Political	Expansion and clarification of the consent to be absent section of the policy plan is beneficial to the Commission and provides clarity to applicants, agents and the Land Court.
HR/staff resources	Pressures on staff resource in the RALU and regulatory support teams. Due to a more detailed process, a likely increase in refusals, a likely increase in consent to be absent extension cases and an increase in breach of duties cases.
Consumer Duty Guidance	Expansion and clarity of the consent to be absent section of the policy plan benefits consumers.

RECOMMENDATION

The Board is invited to approve the interim policy on consent to be absent.

Date 26 November 2025

Author Heather Mack, Head of Policy

¹ Section 21B(5) of the Crofters (Scotland) Act as amended by the Crofting Reform Act 2010

² SP Bill 71, 2025

UPDATE ON ANNUAL NOTICE CAMPAIGN

CROFTING COMMISSION MEETING

17 December 2025

Report by Andrew Thin, Chair

Winter Public Meetings Programme

SUMMARY

This paper invites the Board to consider what has been learned so far from the recent Board led public meetings programme and to agree the main elements required of the programme during the period January to March 2026.

BACKGROUND

In early 2025, the Board identified a need to increase the visibility of Board members with stakeholders and to increase the efforts made by Board members to share key leadership messages. This was reflected in the Performance Objectives put in place for Board members for 2025/26 and shared with the Scottish Government.

This work is ongoing and is being delivered by Board members through attendance at relevant local meetings and events, grazings committee meetings, individual networking etc. Board members are charged with ensuring effective awareness of the work of the Commission so that priorities are well understood.

Alongside this, Board members were asked through their Performance Objectives to participate in online public meetings led by the Chair. This work was later extended in response to feedback to include in-person public meetings. Public meetings are being held in the autumn/winter months to reflect other calls on stakeholder's time in spring/summer.

To date, five public meetings have been held, two online and three in person.

MAIN POINTS

All meetings have followed the same format – a short presentation followed by open discussion. Attendance has been significantly better where meetings have been held in person, and there is some evidence that a sizeable proportion of stakeholders prefer this format (but note that others prefer the accessibility of online meetings).

Raising awareness of meetings has proved difficult unless led by a local Board member with good local networks. That may at least in part explain low attendance at online meetings. In-person meetings have also provided an important opportunity in the margins for informal engagement between Board members and stakeholders.

All meetings have majored on the Annual Notice Campaign but have enabled discussion on a wide range of other topics. That has been a key factor for the campaign, but wider discussions have also explored issues relating to our modernising policy priority – for example in relation to purposeful use, apportionment and subletting policy.

All meetings have been positive and feedback has been good. Attendees have been almost unanimous in welcoming a more outward facing Board at the Commission. Many appear to have an outdated understanding of the Commission’s core functions, regulatory turnaround times, strategic priorities etc and the meetings enable that to be addressed.

While it is difficult to measure impact, there is good anecdotal evidence that the purpose and plans for our Annual Notice Campaign are fast becoming well known and understood among many if not all stakeholder groups. More generally the meetings have tended to expose just how much remains to be done by Board members if the Commission is to gain the widespread understanding and support that it needs if it is to do its job well.

DISCUSSION

January to March 2026 offer an important opportunity for a further programme of public meetings. Thereafter lambing, Easter holidays and the Holyrood election will make this more difficult.

Are we agreed that we should implement a further programme of public meetings during those months?

The format used for in-person meetings appears to have worked well. Online meetings have been less successful. The priority attached to gaining rapid profile for the Annual Notice Campaign means that awareness raising needs to be completed by end March.

Are Board Members agreeable to focusing on in-person meetings for the period January to March and then reviewing the matter further?

We depend on constituency members for local knowledge about stakeholder views etc. Centrally we do not have a good sense of where public meetings need to be focused, where awareness of the Annual Notice Campaign is least good and/or how best to promote meetings locally.

Assuming perhaps six in-person meetings in January to March, where should they be held and how should they be promoted to maximise impact?

<p>RECOMMENDATION</p> <p>It is recommended that the Board considers the issues above and agrees the main elements of a public meetings programme for the period January to March 2026.</p>
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Date 26 November 2025

Author Andrew Thin, Chair

CROFTING COMMISSION MEETING

17 December 2025

Report by the Chief Executive

Regulatory application turnaround times update

SUMMARY

This paper presents a regulatory application turnaround times update. It was recognised in 2022 that there should be an emphasis on reducing the time taken to process applications. At the time new targets were set, all of which have now been achieved.

BACKGROUND

Since 2022 there has been an emphasis on the reduction of the time taken to process regulatory applications. This has formed the basis of targets in the annual business plans. The 2023-24 business plan noted new turnaround targets, based on the 2022-23 performance statistics which were:

Assignment – 19.9 weeks
Decrofting Croft House Site and Garden Ground – 23.1 weeks
Decrofting Part Croft – 26.9 weeks

The 2023-24 business plan targets were then set at:

Assignment – 15 weeks
Decrofting Croft House Site and Garden Ground – 18 weeks
Decrofting Part Croft – 23 weeks

PROGRESS TO DATE

To assist with meeting these targets, the Commission has had some additional resource from the Scottish Government. In addition, the board, in 2024 implemented parameter and interim policy changes which has also helped streamline the processes involved.

As of 30 November 2025, the above targets had been met with average turnaround times now being:

Assignment – **7** weeks
Decrofting Croft House Site and Garden Ground – **9** weeks
Decrofting Part Croft – **14** weeks for Decrofting

It is important to note that officials are expecting an increase in applications due to the duties enforcement work that is about to be carried out via the Annual Notice, along with the ongoing introduction of interim policy statements in the period through to March 2027. As such, and taking into account statutory timescales that have to be followed, it is unlikely that turnaround times will drop any further in the near future.

Impact:	Comments
Financial	N/A unless extra resources are needed if there is a significant upturn in applications.
Legal/Political	Continues efficiency in turnaround times is welcomed by both crofters and Ministers.
HR/staff resources	Pressures on staff resource may well be relevant in the future if application numbers increase significantly
Consumer Duty Guidance	The continued efficiency benefits consumers.

<p>RECOMMENDATION</p> <p>The Board is invited to note the improvement in the regulatory turnaround times.</p>

Date 5 December 2025

Author Gary Campbell CEO

DATE OF NEXT MEETING

25 February 2026 - St Kilda

ANY URGENT BUSINESS

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