

## Rules of Procedure for Crofting Community Mapping

*Approved by the Board of the Scottish Crofting Federation on 31st August 2011*

(1) Where in relation to any township the crofting community is satisfied that the township ought to be mapped in order to provide certainty as to the boundaries of the crofts of the township, they may decide to prepare a community map. Such a map shall include any common grazing of the township including any common grazing in which it shares and any apportionment held by any member of the crofting community.

(2) For this purpose "crofting community" will be as described in the Crofters (Scotland) Act 1993 (as amended) and that means all the persons who (either or both)-

- (a) occupy crofts within a township which consists of two or more crofts;
- (b) hold shares in a common grazing associated with that township.

(3) A meeting of the crofting community or the common grazings committee of the township, either of their own accord or on representations made to them by a person being the tenant crofter or the owner-occupier crofter of a croft situated in the said township or by the landlord of such a croft, may (a) decide that the township ought to be mapped and (b) appoint a working group to prepare a provisional draft of a map of the township after such consultation as is reasonably practicable.

(4) Before proceeding to prepare a provisional draft map the working group should inform each of the persons mentioned in (3) in writing (a) that they have been so appointed and provide an address to which information may be sent to the working party; (b) how they intend to proceed [e.g. by researching, consulting and recording their investigations and by inviting parties to provide such maps or information as they have showing the boundaries of the crofts and common grazing], and (c) that in due course they intend to hold a meeting to display the provisional draft map and to invite comments on it in writing.

(5) Where, in relation to any township, the working group have prepared a provisional draft map, they shall send to each of the persons mentioned in (9) a notice-

(a) naming a place within the locality in which the township is situated where a copy of the provisional draft map may be inspected at all reasonable hours; and an address to which written comments may be sent to the working party;

(b) inviting the person on whom the notice is served to attend a meeting of the crofting community not earlier than twenty eight days of the date of such notice at a suitable place within the locality where a copy of the provisional draft map may be inspected;

(c) inviting the person to whom the notice is sent to make such comments in writing to the working group as they may wish to make on the provisional draft map; and

(d) explaining that, in the event of disagreement on any boundary, there shall be made available opportunities for negotiation and mediation.

(6) Having taken into account information brought forward at the meeting and comments (if any) made to them by virtue of (5) above and the result of any mediation, the working group shall on behalf of the crofting community-

- (a) prepare a **proposed community map** in relation to the township;
- (b) serve on each of the persons mentioned in (9) below a copy of the **proposed community map** together with a notice-
  - (i) naming a place within the locality in which the township is situated where a copy of that **proposed community map** may be inspected at all reasonable hours; and an address to which intimation may be made to the crofting community; and
  - (ii) requesting that the person, within one month after the date of such service, intimates to the crofting community in writing whether or not that person is in agreement with the proposed community map so far as it affects his or her interests.

(7) Where any person on whom a notice has been served under (6) above fails to comply with the request contained in the notice, that person shall be deemed by the crofting community to have intimated to the crofting community, in compliance with the request, that the person is in agreement with the proposed community map so far as it affects his or her interests.

(8) If, within the period of one month mentioned in (6) above, a majority of the persons on whom a copy of the final community map and a notice have been served have intimated to the crofting community, in compliance with the request contained in the notice, that they are in favour of the final community map, the crofting community shall, where they remain satisfied as mentioned in (1) above-

- (a) prepare a **final community map** in relation to the township; and
- (b) to take such steps as are considered necessary to record the agreement (or otherwise) of members of the crofting community to the **final community map**.

(9) The persons referred to in (5) and (8) above are-

- (a) each tenant crofter of a croft situated in the township;
- (b) the landlord of each such croft;
- (c) each owner-occupier crofter of a croft situated in the township;
- (d) each grazings committee in respect of any common grazing shared in by any such crofter;
- (e) each person occupying land which is contiguous to a croft situated in the township; and
- (f) the owner of, and each person who holds shares in, a common grazing associated with the township.

(10) These rules of procedure have been provided by the Scottish Crofting Federation and are intended to encourage the preparation of crofting community maps. The Scottish Crofting Federation will not be responsible for the manner in which such maps are prepared or for the content of the maps resulting therefrom.