



**CROFTING COMMISSION
COIMISEAN NA CROITEARACHD**

Great Glen House
Leachkin Road
Inverness IV3 8NW

Taigh a' Ghlinne Mhòir
Rathad an Leacainn
Inbhir Nis IV3 8NW

T: (01463) 663439
E: info@crofting.gov.scot
W: www.crofting.scotland.gov.uk

Decrofting Application Croft House Site and Garden Ground

Di-chroiteadh HSGG

There is a requirement to register your croft land,
please read Section 1 in the guidance notes:

Requirement to Register your Croft Land

OFFICE USE ONLY CASE No:

PRIVACY NOTICE

The Crofting Commission acts as the 'Controller' of the personal data you provide us with when you complete a Regulatory Application. Under the Crofters (Scotland) Act 1993 we are obliged to collect this information in order to facilitate the processing of your application. Please note that the Commission will be unable to process your application if you do not provide the information requested.

Any data provided by you is part of an open process and may be made available to other parties involved (unless told otherwise). These could include:

- The tenant / owner-occupier crofter / landlord of a vacant croft
- The proposed tenant/sub-tenant
- The landlord of the croft
- The owner of the common grazings
- The area assessor
- The grazings committee
- The owner of any adjacent non-croft land
- The occupier of any adjacent non-croft land
- Any member of the local crofting community
- Any other person with a significant interest
- Third Party Organisations – *RPID (Rural Payments & Inspections Directorate) and the Registers of Scotland.*

Your data will be used to update the Register of Crofts and it may also be released under a Freedom of Information enquiry, subject to any disclosure exemptions under Data Protection Laws.

Your information will be stored in the format received and electronically in the Commission's Crofting Information System (CIS). We will not keep your personal data for any longer than is necessary to complete the relevant processing and in line with our Retention Policy.

If at any point you believe the data we process on you is not accurate, you can request to see it and have it corrected or deleted. If you wish to raise a complaint about how we have handled your personal data, you can contact our Data Protection Officer who will investigate the matter. Our Data Protection Officer can be contacted by e-mailing DataProtection@crofting.gov.scot. Further details on the Crofting Commission's Data Protection Policy can be found at www.crofting.scotland.gov.uk/data-protection-act.

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

CROFT AND CURRENT CROFTER DETAILS

ALL FIELDS MUST BE COMPLETED

1 Croft Details

Croft:

Parish:

Crofting Commission Register Number

Registers of Scotland

Register Number (where registered):

Main Location

Code: (MLC)

2 Applicant Details (if more than one, enter additional details at Appendix 1)

Surname:

Title:

Forename(s):

Date of Birth:

Main Residential Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

I agree to communication regarding this application by e-mail

Yes

No

3 Agent Details for Applicant

(if applicable see section 2 – Important Information of Guidance)

Name:

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

I agree to communication regarding this application by e-mail

Yes

No

3A For the applicant to complete (if applicable).

Where the agent is not a Solicitor or Professional Agent, I authorise them to act on my behalf for this application.

Signed

Date

Applicant

4 Landlord/Owner Details (if applicable – more details can be entered on Appendix 1)

Name of Organisation/Company/Estate:

Surname:

Title:

Forename(s):

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

5 Agent Details for Landlord (only if applicable) – additional agent details can be entered on Appendix 1

Name:

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

APPLICATION DETAILS

Please read Section 3 – **Application Details** section of the guidance before responding to the following

6 APPLICATIONS

Is the house wind and watertight and fit for human habitation? Yes No

If **'No'**, please do not use this form. Instead you must complete a **Part Croft** Decrofting Application form.

7(i) Please provide the area of the whole croft: _____ ha

7(ii) How much land are you applying to decroft? _____ ha
(Please provide the extent to three decimal places).

7(iii) Is the area enclosed separately from the croft? Yes No

If the area for a house site is greater than 0.200 ha please state the reasons for the size of the area applied for

8 Do you own the area applied for? Yes No

If **'No'**, has agreement been reached with the landlord to purchase the site applied for? Yes No

9 Is the area applied for situated on an apportioned area of common grazing land? Yes No

If **'Yes'** what is the name of the Common Grazing?

The Common Grazing land must be fully apportioned i.e. it must have a final order of apportionment issued under Section 52(4) of the Crofters (Scotland) Act 1993, before a decrofting application can be considered.

10 Are there any agricultural buildings or other buildings within the area applied for?

Yes No

If **'Yes'**, please give details including the approximate age of each building, whether you have received grant assistance for its construction, how it is currently used and indicate whether there are any other potential sites on the croft for the provision of agricultural buildings:

ACCESS

Please read Section 4 – **Access section** of the guidance before responding to the following

11 Is any existing vehicular access to adjacent croft land, common grazing or land held runrig included in the area applied for? Yes No

If **'Yes'**, is there an alternative access to that land? Yes No

If there is no alternative access, please provide details of any arrangements for access to the adjacent croft land, and/or common grazing or land held runrig:

(We require all vehicular access routes to adjacent croft land to be shown on the maps enclosed with your application)

12 Is the area applied for enclosed separately from the remainder of the croft or common grazings (e.g. with existing fences/walls)? Yes No

If **'Yes'**, please provide details:

Your decrofting application must be accompanied by a site map. Please read section 5 – Mapping Information of the guidance.

APPLICANT/AGENT PLEASE SIGN THIS DECLARATION

DECLARATION

13 I confirm the following documents are enclosed with this application:

Site Map Crofting registration application (if applicable)

14 Declaration

This application for a direction that the area applied for should cease to be croft land is submitted under section 24(3) or 24(A) and section 25 of the Crofters (Scotland) Act 1993.

FOR TENANT APPLICANTS ONLY:

I declare that I have given the croft landlord(s) written notification of this decrofting application and enclose evidence (see guidance section Important Information and Appendix 2A).

FOR ALL APPLICANTS:

(a) I have/have not included my application to register the croft

(b) I declare that, to the best of my knowledge, the information I have given in this application is correct.

Signed

Date

Applicant/Agent

What Happens Next?

- When we receive your application, we will usually send you or your agent an acknowledgement letter.
- Provided the croft is registered with the Keeper of the Registers of Scotland, we must decide whether or not to grant the application or to investigate further. If we decide to investigate further we will notify all interested parties. We aim to take a decision within 6 weeks.
- You may appeal to the Scottish Land Court, within 42 days from the date of public notification of our decision, against our decision or against any conditions which we may impose in any direction we make.

APPENDIX 1

Additional Owner(s) Details

Name of Organisation/Company/Estate:

Surname:

Title:

Forename(s):

Date of Birth:

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

As co-owner of the croft house site and garden ground, I hereby agree to this application being made.

Signed:

Date:

Additional Agent Details for Owner (if applicable)

Surname:

Title:

Forename(s):

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

For the applicant to complete (if applicable).

Where the agent is not a Solicitor or Professional Agent, I authorise them to act on my behalf for this application.

Signed

Date

Applicant

Additional Owner(s) Details

Name of Organisation/Company/Estate:

Surname:

Title:

Forename(s):

Date of Birth:

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

As co-owner of the croft, of the house site and garden ground, I hereby agree to this application being made

Signed:

Date:

Additional Agent Details for Owner (if applicable)

Surname:

Title:

Forename(s):

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

For the applicant to complete (if applicable).

Where the agent is not a Solicitor or Professional Agent, I authorise them to act on my behalf for this application.

Signed

Date

Applicant

APPENDIX 1...cont

Additional Owner(s) Details

Name of Organisation/Company/Estate:

Surname:

Title:

Forename(s):

Date of Birth:

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

As co-owner of the croft house site and garden ground, I hereby agree to this application being made.

Signed: _____

Date: _____

Additional Agent Details for Owner (if applicable)

Surname:

Title:

Forename(s):

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

For the applicant to complete (if applicable).

Where the agent is not a Solicitor or Professional Agent, I authorise them to act on my behalf for this application.

Signed

Date

Applicant

APPENDIX 2

Croft _____

Main Location Code (MLC) _____

Crofting Commission Register Number _____

NOTICE FOR LANDLORD WHERE THE APPLICANT IS A TENANT: PROPOSAL TO DECROFT THE CROFT HOUSE SITE AND GARDEN GROUND

I, _____ (name)
of _____

_____ (address) intend to
apply to the Crofting Commission for an 'advance of purchase' decrofting Direction in respect of
the site of the dwellinghouse on or pertaining to my croft at _____

The site I wish to decroft extends to _____ hectares.

A site map showing the boundaries of the proposed site and existing access routes to the adjacent croft land is enclosed for your information.

If you have any comments on the proposal, you may submit these in writing to the Crofting Commission, Great Glen House, Leachkin Road, Inverness IV3 8NW or
E-mail **info@crofting.gov.scot** within 14 days of receipt of this notice.

Please note that any comments received by the Crofting Commission are part of an open process and will be made available to myself and any interested parties. Your comments would also be released under a Freedom of Information enquiry.

Signed _____ **Date** _____
(Tenant/Agent)

PLEASE PRINT NAME: _____

APPENDIX 2A

Croft _____

Main Location Code (MLC) _____

Crofting Commission Register Number _____

TO THE CROFTING COMMISSION – CONFIRMATION OF RECEIPT OF NOTIFICATION BY LANDLORD

I confirm that I have seen the application form for the decrofting of the Croft House Site and Garden Ground and that I will submit any comments within 14 days of the date below.

Signed

Date

Landlord/Agent

PLEASE PRINT NAME: _____



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