



**CROFTING COMMISSION
COIMISEAN NA CROITEARACHD**

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Decrofting Application Whole Croft

Di-chroiteadh iomlan

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 CONTACT 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

Name:

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

I agree to communication regarding this application by e-mail

Yes ☐

No ☐

☐ I confirm that I am authorised to act as agent for the applicant in relation to their application.

☐ I confirm that, as agent, I am not a direct beneficiary of the application.

☐ I understand this authorisation is only valid while the application is under consideration and will end when the application is concluded.

Important: If you are not a solicitor or professional agent (Crofting/Rural Consultant or Adviser) you and the applicant must separately complete a **Mandate Agent Authorisation Form** which will enable you to act on the applicants behalf. This form can be found on the Commission Website here: www.crofting.scotland.gov.uk/agency-and-mandate

4 Landlord Details (if applicable - more details can be entered on Appendix 1)

Name of Organisation/Company/Estate:

Surname:

Title:

Forename(s):

Date of Birth:

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

5 Agent Details for Landlord (if applicable)

Name:

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

APPLICATION DETAILS

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

6 Why are you applying to decroft?

☐ The site of an existing house that is not the statutory house site

☐ For a proposed new development

If **'Yes'**:

Has planning permission been obtained or has planning consent been applied for (either full permission or permission in principle) for the proposed development?

☐ Planning obtained

☐ Applied for

☐ Not Required

Please provide documentary evidence

Planning Reference Number:

☐ For some other purpose (please provide as much information as possible):

7(i) Do you own the whole of the area applied for?

☐ Yes

☐ No

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

Please state the reason(s) for the size of the area applied for:

Any reasonable purpose application must not be excessive in relation to the purpose. The Commission may modify the area being sought.

8(i) Please give details of how the land is currently used:

8(ii) Please give details of the quality of the land:

9 Does the croft have common grazing rights? ☐ Yes ☐ No

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

(i) Name of Grazings:

(ii) Shareholding/Souming entitlement:

(iii) Do you own the grazing right? ☐ Yes ☐ No

(iv) Is the grazing right(s) included in the application to decroft? ☐ Yes ☐ No

10 Are there any agricultural buildings or other buildings within the area applied for? (If possible please provide photographs) ☐ Yes ☐ No

If **'Yes'**, please give details including the size, condition, approximate age of each building, whether you have received grant assistance for its construction, how it is currently used (e.g. general purpose shed, dwellinghouse):

WIDER INTERESTS

Please read Section 4 – **Wider Interests** of the guidance before responding to the following

11(i) What effect, if any, do you consider this decrofting will have on the interests of the croft?

11(ii) What effect, if any, do you consider this decrofting will have on the interests of the estate?

PUBLIC INTERESTS

Please read Section 4.1 - **Public Interests** of the guidance before responding to the following

11(iii) What effect, if any, do you consider this decrofting will have on the public interest?

SUSTAINABLE DEVELOPMENT

Please read Section 4.2 – **Sustainable Development** of the guidance before responding to the following

11(iv) What effect, if any, do you consider this decrofting will have on the interests and sustainability of the crofting community?

12 Please provide any additional information in support of your application that you consider may be helpful to the Commission in reaching its decision:

ACCESS

Please read Section 6 – **Access** of the guidance before responding to the following

- 13(i)

Is any existing vehicular access or other 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

Please provide details of any arrangements for access to the adjacent croft land, and/or common grazing or land held runrig (if possible please provide photographs):

- 13(ii)

If the site applied for includes the current access to other croft land, what arrangements are (or will be) in place to allow unrestricted access to the croft land? Please include details of any proposed new access you intend to create:

APPLICANT/AGENT PLEASE SIGN THIS DECLARATION

14 I confirm the following documents are enclosed with this application: (if applicable):

- ☐ Map showing access
- ☐ Copy of required planning permission
- ☐ Croft registration application form and boundary map (croft not already registered)
- ☐ Where I am a non-professional agent for the applicant, the applicant and I have separately completed and included an Mandate Agent Authorisation Form.

15 DECLARATION

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

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

Signed

Date

Applicant/Agent

Signed

Date

Applicant/Agent

What Happens Next?

- When we receive your application, we will send you or your agent an acknowledgement letter.
- We are required by law to advertise your application. Provided the croft is registered with the Keeper of the Registers of Scotland, at the end of the 28 day consultation period 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 12 to 16 weeks.
- You, or any other person who has the right, may appeal to the Scottish Land Court within 42 days from the date of public notification of our final decision. The appeal may be against our decision or against any conditions which we may impose in any direction we make.

APPENDIX 1

Additional Landlord Details

Name of Organisation/Company/Estate:

Surname:

Title:

Forename(s):

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

Additional Agent Details for Landlord (if applicable)

Name:

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

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:

Additional Agent Details for Owner (if applicable)

Name:

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

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☐ I confirm that, as agent, I am not a direct beneficiary of the application.

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APPENDIX 1A

ADDITIONAL INFORMATION SECTION

Croft _____

Main Location Code (MLC) _____

Crofting Commission Register Number _____

Please use the space provided below to provide us with any additional information where there is insufficient space on the form. Please clearly state which question the information relates to.



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