



**CROFTING COMMISSION
COIMISEAN NA CROITEARACHD**

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Application for Commission Consent to Divide by an Owner-Occupier Crofter

Tagradh airson Cead a' Choimisein gu Roinn le Croitear Seilbhe

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 OWNER-OCCUPIER 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 2)

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/Guardian Details for Owner-occupier Crofter (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

☐

☐ 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 Owner(s) of Common Grazings Details (additional details of other landlords should be entered on Appendix 1) (only if owned share is to be divided)

Name of Organisation/Company/Estate:

Surname:	Title:
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Forename(s):

Postal Address:

	Postcode:
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Telephone:

Alternative Telephone:

E-mail Address:

5 Agent Details for Owner(s) of Common Grazings (if applicable) (additional agent details for other owners should be entered on Appendix 1)

Name:

Postal Address:

	Postcode:
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Telephone:

Alternative Telephone:

E-mail Address:

APPLICATION DETAILS

Please read Section 4 - **Application Details** section of the guidance before responding to the following

6 How many crofts (the existing croft is counted as one croft) will be created as a result of the division? _____

Your division application must be accompanied by a map showing the boundaries of the croft and identify the areas to be divided. Please read Section 4.1 - Mapping Information of the guidance.

GRAZING SHARE(S)

Please read Section 5 - **Grazing Share(s)** section of the guidance before responding to the following

7 Please provide details of each of the proposed new crofts resulting from the division of the existing croft (please make sure this matches up with the information provided on the map accompanying your application). If there are grazing share(s) to be divided please indicate these below. (If the grazing share(s) are held in tenancy, a separate application to divide the share must be submitted.)

Details for New Crofts (where no shares included please mark share detail as n/a)

Name	Extent	Rent	Name of Common Grazing	Souming (number per type of stock e.g. sheep, cows etc)
Croft 1				
Croft 2				

You cannot sell or transfer the divided area(s) until the outcome of this application is decided.

8(i) Which of the new crofts do you intend to transfer?

8(ii) Has a prospective purchaser/owner for the new croft(s) been identified? Yes ☐ No ☐

If **'Yes'**, please provide details of their name and address and whether they occupy any other croft land.

If **'No'**, please provide details of your plans for identifying a prospective purchaser.

RESIDENCY AND LAND USE

Please read Section 6 - **Residency and Land Use** of the guidance before responding to the following

9 Do you currently reside on or within 32 kilometres (20 miles) of the croft? Yes ☐ No ☐

The Commission requires to know how the croft is currently being used.

10(i) Is the croft currently being used for cropping activities? Yes ☐ No ☐

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

10(ii) Is the croft currently being used for stock management purposes? Yes ☐ No ☐

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

10(iii) Are there any buildings on the croft? Yes ☐ No ☐

If **'Yes'**, please provide details below (include information about the size, condition, approximate age and current use and which of the proposed new crofts these will become part of following division) e.g. general purpose shed, dwellinghouse:

Please read Section 6.1 - **What are Crofter's Duties** section of the guidance before responding to the following

e.g. Tourist Development, Livery or Renewable Energy Project

Yes ☐ No ☐

WIDER INTERESTS

Please read Section 7 - **Wider Interests** of the guidance before responding to the following

Crofting Community

12(i) What effect, if any, do you consider this division will have on the interests of the crofting community?

Sustainable Development

Please read Section 7.1 - **Sustainable Development** section of the guidance before responding to the following

12(ii) What effect, if any, do you consider this division will have on the sustainable development of the local crofting community?

Public at large

Please read Section 7.2 - **Public Interests** section of the guidance before responding to the following

12(iii) What effect, if any, do you consider this division will have on the interests of the public at large?

13 Please use this space to provide us with 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 8 - **Access** of the guidance before responding to the following

- 14** Please provide as much information as possible of the current or proposed access provision including details such as width, gates, condition and any consents obtained or that may be required together with supporting evidence of provision to the proposed crofts:

PUBLIC NOTIFICATION

Please read Section 9 - **Public Notification** section of the guidance before responding to the following

- 15** Please give details of the public notification arrangements you have made below:

- (i) Name of newspaper displaying the advert: _____
- (ii) Date advert will be displayed in newspaper: _____

A standard advert for your use is included in the guidance

OWNER-OCCUPIER CROFTER/AGENT PLEASE SIGN THIS DECLARATION

16 I confirm that I have carried out the following in connection with this application:

- ☐ (If there are shares to be separated or divided) I have given the owner of the common grazing written notification of this division application and enclose evidence.
- ☐ Where I am a non-professional agent for the applicant, the applicant and I have separately completed and included an Mandate Agent Authorisation Form.
- ☐ I have advertised this application for consent to divide the croft in a newspaper circulating in the local area.
- ☐ I have included my application to register the croft (if applicable).

17 DECLARATION

This application is submitted under section 19D of the Crofters (Scotland) Act 1993 for consent to divide the croft.

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

Signed

Date

Owner-Occupier Crofter/Agent

What Happens Next?

- When we receive this application, we will send you or your agent an acknowledgement letter.
- You 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.
- Our decision can be appealed to the Scottish Land Court within 42 days from the date we notify interested parties of our decision.

APPENDIX 1

Additional Owner(s) of Common Grazings Details

Name of Organisation/Company/Estate (only if applicable):

Surname:

Title:

Forename(s):

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

Additional Agent Details for Owner(s) of Common Grazings (only if applicable)

Name:

Postal Address:

Postcode:

Telephone:

E-mail Address:

Additional Owner(s) of Common Grazings Details

Name of Organisation/Company/Estate:

Surname:

Title:

Forename(s):

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

Additional Agent Details for Owner(s) of Common Grazings (only if applicable)

Name:

Postal Address:

Postcode:

Telephone:

E-mail Address:

APPENDIX 1A

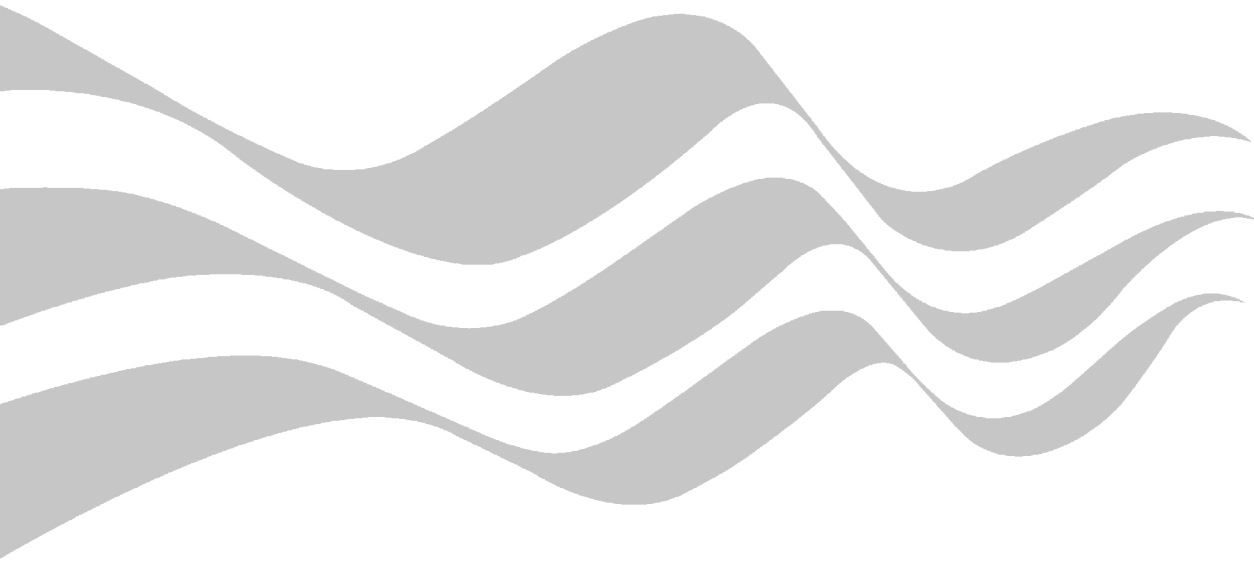
ADDITIONAL INFORMATION SECTION

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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