



**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
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Application for Commission Consent to Assign a Grazing Share(s)

Tagradh airson Cead a' Choimisein gu Roinn(ean) Ionaltraidh a Shònrachadh

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 to which Grazing Share(s) pertain:

Parish:

Crofting Commission Register Number

Registers of Scotland

Register Number (where registered):

Main Location

Code: (MLC)

2 Crofter Details

Surname:

Title:

Forename(s):

Date of Birth¹ :

Main Residential Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

I agree to communication regarding this application by e-mail

Yes

☐

No

☐

¹ The Act was amended on 1 October 2011 to include the requirement that the age and date of birth of the tenant of each croft shall be entered in the Register.

3 Agent Details for Crofter (only if applicable)

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 of Common Grazing Details (additional owner of common grazings 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 Owner of Common Grazing (only if applicable) – additional agent details can be entered on Appendix 1

Name:

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

RESIDENCY AND LAND USE

Please read Section 3 – **Residency and Land Use** of the guidance before responding to the following

6 Please give details of the grazing share(s) below:

Name of Common Grazings	Grazing Share/ Souming

7 Do you currently reside on or within 32 kilometres (20 miles) of the Common Grazing? ☐ Yes ☐ No

Will the proposed assignee be ordinarily resident on or within 32 kilometres (20 miles) of the Common Grazing, should the Commission approve the application? ☐ Yes ☐ No

8 How do you currently use your grazing share(s)?

WIDER INTERESTS

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

ESTATE

9(i) What effect, if any, do you consider this assignation will have on the interests of the estate?

CROFTING COMMUNITY

9(ii) What effect, if any, do you consider this assignation will have on the interests of the crofting community?

SUSTAINABLE DEVELOPMENT

Please read Section 4.1 – **Sustainable Development** section of the guidance before responding to the following

- 9(iii)** What effect, if any, do you consider this assignation of the tenancy will have on the sustainable development of the local crofting community?

PUBLIC AT LARGE

Please read Section 4.2 – **Public Interests** section of the guidance before responding to the following

- 9(iv)** What effect if any, do you consider this assignation will have on the interests of the public at large?

- 10** Please provide any additional information in support of your application that you consider may be helpful to the Commission in reaching its decision (for example, you may wish to tell us why you are applying to assign your share):

PUBLIC NOTIFICATION

Please read Section 2.2 – **Public Notification** of the guidance before responding to the following

11 Please give details of the public notification arrangements you have made below:

(i) Name of newspaper displaying the advert: _____

(ii) The date advert will be displayed in newspaper: _____

A standard advert for your use is included in the guidance notes.

CROFTER/AGENT PLEASE SIGN THIS DECLARATION

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

- ☐ I have given the owner of common grazings written notification of this assignation application and enclose evidence (see guidance section Owner Notification and Appendix 2 and 2A)
- ☐ I have advertised this application for consent to assign the tenancy in a newspaper circulating in the local area.
- ☐ The proposed new crofter has completed question 16 of the application, advising whether he/she is or will be ordinarily resident.
- ☐ Questions 14 to 23 have been completed and the declaration has been signed by the proposed new crofter or their agent.
- ☐ 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 included my application to register the share (if applicable).
- ☐ Where the share is sublet, I have given the subtenant 6 months notice of my intention to assign the tenancy.

13 DECLARATION

This application is submitted under section 8 of the Crofters (Scotland) Act 1993 for consent to assign the tenancy.

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

Signed

Date

Crofter/Agent

PROPOSED NEW CROFTER DETAILS

Please read Section 5 – **Proposed New Crofter Details** of the guidance before responding to the following

ALL FIELDS MUST BE COMPLETED

14. Proposed New Crofter Details

Surname:	Title:
Forename(s):	
Date of Birth ¹ :	
Main Residential Address:	
	Postcode:
Telephone:	
Alternative Telephone:	
E-mail Address:	
I agree to communication regarding this application by e-mail	
Yes ☐	No ☐

15. Agent/Guardian Details for Proposed New Crofter (only if applicable)

Name:	
Postal Address:	
	Postcode:
Telephone:	
Alternative Telephone:	
E-mail Address:	
I agree to communication regarding this application by e-mail	
Yes ☐	No ☐

¹ The Act was amended on 1 October 2011 to include the requirement that the age and date of birth of the tenant of each croft shall be entered in the Register.

- ☐ 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

RESIDENCY AND LAND USE

Please read Section 3 – **Residency and Land Use** of the guidance before responding to the following

16. Do you currently reside on or within 32 kilometres (20 miles) of the common grazing? ☐ Yes ☐ No

If **'Yes'**, go to question 17

If **'No'**:

(i) What is your timescale for taking up residence? Please provide reasons for this timescale.

(ii) Is there a habitable house on or in the locality of the common grazing. ☐ Yes ☐ No
in which you intend to reside?

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

iii) How do you propose the croft will be cultivated and maintained until you take up residence?

17. As a resident crofter, or once resident, how do you intend to use the grazing share?
Please provide details.

Crops (please specify)	Hectares
Livestock (e.g. sheep, cows, pigs, poultry)	Proposed number and timescale
Other proposed cultivation (e.g. horticulture, apiary)	

18. As a resident crofter, or once resident, how do you intend to maintain the croft?
e.g. ensuring all fences are stockproof and land is properly drained. Please provide details.

POLICY PLAN

Please read Section 6 – **Policy Plan on Assignment** of the guidance before responding to the following

- 19** What experience and/or skills do you have to implement your plans for working and maintaining the land, including non-agricultural experience and skills?
(You should include any relevant qualifications):

20 Are you currently the owner, owner-occupier crofter, tenant crofter or subtenant of any other croft or agricultural land?

Yes ☐ No ☐

(i) If **'Yes'**, please give details below:

Main Location Code (MLC)	Croft or Holding	Croft/Holding Name	Area in Hectares	Any common grazings rights? (Yes/No)	Status e.g. owner-occupier, tenant, subtenant or short lease tenant

(ii) How do you cultivate or otherwise use this other land?

Crops (please specify)	Hectares
Livestock (e.g. sheep, cows, pigs, poultry)	Present Number
Other Use (e.g. horticulture, trees, apiary)	

PROPOSED NEW CROFTER/AGENT PLEASE SIGN THIS DECLARATION

23 DECLARATION

I declare that:

- To the best of my knowledge, the information I have given in this application is correct.
- I am aware of the duties which a crofter is required to comply with relating to residency and land use as stated in 'What are Crofter's Duties' section in the guidance.
- Where I am a non-professional agent for the applicant, the applicant and I have separately completed and included an Mandate Agent Authorisation Form.

Signed

Date

Proposed New Crofter/Agent

What Happens Next?

- When we receive this application, we will send the applicant or their agent an acknowledgement letter.
- Providing 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 12-16 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 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 of Common Grazing (only if applicable)

Name:	
Postal Address:	
	Postcode:
Telephone:	
E-mail Address:	

Additional Owner 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 of Common Grazing (only if applicable)

Name:	
Postal Address:	
	Postcode:
Telephone:	
E-mail Address:	

ADDITIONAL INFORMATION SECTION

Crofting Commission Register Number

Please clearly state which question the information relates to.

APPENDIX 2

Notice for Owner of Common Grazings

Proposed Assignment of a Grazing Share

I _____ (PLEASE PRINT YOUR NAME)

am applying to the Crofting Commission for consent to assign the tenancy of the grazing share pertaining to the croft at _____

to _____ (proposed new crofter name)

of _____ (address).

If you have any comments, you may submit these in writing to the Crofting Commission, Great Glen House, Leachkin Road, Inverness IV3 8NW or email **info@crofting.gov.scot** by _____

(insert date here giving 28 days from date of publication of newspaper advert).

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

Crofter/Agent

APPENDIX 2A

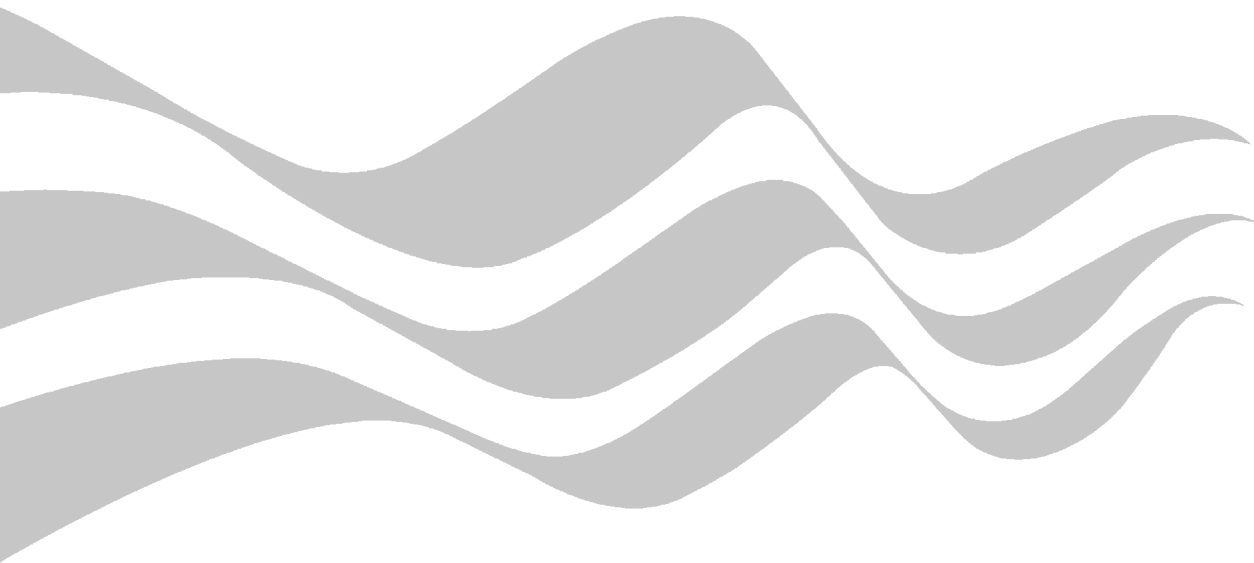
TO THE CROFTING COMMISSION – CONFIRMATION OF RECEIPT OF NOTIFICATION BY OWNER OF COMMON GRAZINGS

I confirm that I have seen the application form for the assignation of the tenancy of the grazing share(s) pertaining to the croft at _____
and that I will submit any comments within 28 days from the date of the newspaper advert.

Signed

Date

Owner of Common Grazing



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