

Application to Create New Common Grazing

Explanatory Notes

We have written these notes to help you fill in your application. If the form is not completed correctly, we will have to send it back to you.

Parts 1, 2, 3, 4, 5, 7 and 9 must be completed.

Part 8 is completed by any person who will be entitled to use the land if registered as a common grazing. You are responsible, as applicant, to ensure everyone who needs to fill in this part does so.

Part 6 provides us with additional information that would be helpful in considering your application. Filling it in is optional.

Part 1 - Applicant Details

Please fill in as many details as possible about yourself – and about your agent if you've appointed one. If you have an appointed agent, we'll correspond with them.

Important: If the common grazing is owned by more than one person, you must provide the name and contact details for all owners.

All fields marked with an asterisk (*) must be filled in.

Part 2 – Eligibility Criteria

Eligibility criteria are set out in the Crofting Reform etc Act 2007 section 51(A). Here is a summary, for reference:

1 Who can apply?

- You are only eligible to apply to register land if you are the owner of eligible land within the crofting counties*.

You must also have:

- the written agreement of all persons entitled to use the common grazing.

2 What is eligible land?

- It must be located within the crofting counties;
- It must not be next to or share a common boundary with a croft or any part of a croft;
- It must not be tenanted or occupied by a cottar; and
- It must not include land already registered as a croft.

3 How will the common grazing be used?

The common grazing may be used for any purpose, or purposes, agreed in writing by you and the people entitled to use the common grazing.

The crofting counties*

The crofting counties are made up of the former counties of Argyll, Inverness, Ross and Cromarty, Sutherland, Caithness, Orkney and Shetland.

If you are unsure whether your land is located within the crofting counties, the map on the next page should help. If you remain unsure please contact us for further guidance. Our contact details appear at the end of this note.

MAP OF CROFTING COUNTIES TO BE INSERTED HERE

Part 3 – Grazing Details

Please let us know why you are applying to create a common grazing. We also need to know how the land will be used. The details you provide will help us to decide your application.

If your application is approved, the name of the common grazing, the people who will be entitled to use it and the extent will be entered on our records.

We also ask several questions about the land so that we have as much information as possible before taking a decision.

PART 4 - Application Documentation

Your application must be accompanied by a scale plan of the common grazing showing its boundaries. The plan should preferably be no larger than A3 size (approximately 42cm x 30cm) and **must** be clear and legible otherwise we may not deal with your application.

Your plan must:

- be an Ordnance Survey type plan on a scale of 1:2500 or 1:10000 or similar;
- have the boundaries of the common grazing clearly drawn or marked; and
- contain sufficient surrounding established detail (for example fences, houses, roads and so on) to enable the location of the common grazing to be fixed.

Appendix 1 shows a sample of the type of plan we require.

Part 5 – Public Interest or Community Information

In considering your application, we must consider any public interest or local crofting community benefits that will result if the land is registered as a common grazing. You should provide us with any information to back up your application and, if appropriate, provide supporting documentation.

Part 6 – Other Information

You need only complete this part of the form if you have extra information you think would help us to reach a decision on your application. For example, will the plans for the land only be made possible if we grant your application?

If there is not enough space to give a full answer, you are welcome to attach additional pages to the application.

Part 7 – Shareholder Details

Shareholder is the term used to describe each person who is entitled to use the common grazing. You must let us know:

- the name of each shareholder;
- the name of the croft or holding the share belongs to; and
- details of each shareholding*, or souming** or both of these.

*Shareholding is the term used to describe the proportion of the common grazing each shareholder is entitled to use. It is normally described as a number or a fraction; for example if 10 shareholders have an equal share in a common grazing, each shareholder would have one share or a share fraction of 1/10th.

**Souming is the term used to describe the number of animals allowed to graze the land. The total souming for the grazing is divided into individual entitlements for each shareholder. Each shareholder's entitlement is normally described in numbers of cattle and sheep, for example ten cows and two sheep.

Part 8 – Declaration by Shareholders

You are responsible (as the owner of the land) to make sure that all shareholders sign the application to confirm they agree to:

- (i) the land being registered as a common grazing; and
- (ii) how the land will be used.

Part 9 – Declaration by Applicant (Landowner)

The application must be signed by you (the owner) or your appointed agent.

If you own the area jointly, all parties must sign the form unless you have appointed an agent to act on your behalf. If one owner has been appointed by the others to act as your agent, we must have separate written agreement to this effect signed by all the owners.

What happens next?

Please send the completed application form to:

Crofting Commission
Great Glen House
Leachkin Road
Inverness
IV3 8NW

When a properly completed application is lodged with us, we will send you (or your agent if applicable) an acknowledgement letter within five working days confirming receipt. Our letter will also:

- explain the application process;
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- give you a reference number for you to quote if you need to contact us; and
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- give you the name of the officer dealing with your application.

If you would like more information, we have written a 'Creating a New Common Grazing' leaflet, which you may find useful. Contact us and ask for a copy or download one from our website at www.crofting.scotland.gov.uk

COMMON GRAZING - SAMPLE PLAN TO BE INSERTED HERE