

NOTIFICATIONS AND GROUNDS AND DECISIONS FOR APPLICATIONS DECIDED

Applications between 27/11/17 – 04/12/17

N.B. If your area is not shown in the list below, this is due to no notifications being recorded/ applications decided in your area for the specified period.

Argyll, Skye & Lochalsh, South and West Inverness

Croft: Lara Croft
Parish: Jura
Reg No: A1468
Case Number: 74807
Application Type: Decrofting – part croft

Decision – Approved		Extent: 0.1009 ha
Grounds for Decision		
<p>The Commission has considered the application under sections 24(3) and 25(1B) of the Crofters (Scotland) Act 1993 to decroft an area of 0.1009 ha for amenity ground next to the original decrofted house site of 0.126 ha which was decrofted on 3 November 2003 and decided to grant a decrofting Direction on the following grounds:</p> <ul style="list-style-type: none"> • The Commission is satisfied on the available evidence that the application is for a reasonable purpose within the meaning of section 20 of the Act and is not excessive in relation to the stated purpose. • Paragraph 67 of The Crofting Commission’s policy plan states that <i>“When considering applications, the Commission will wish to ensure that suitable access arrangements are provided for any croft land”</i>. There are no issues with access to the site or the remainder of the croft land. • No objections were received to public advertising of the application. • There was no evidence to suggest that granting the direction would adversely effect either the croft or the crofting community in the locality of the croft. 		
Conditions of Direction		
Purpose:	Amenity Ground	
Enclosure	<ol style="list-style-type: none"> 1. The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the development being completed. 2. That fence must be maintained in good order and repair by each successive owner or occupier of the land. 	

Croft: 19 & 20 North Ballachulish
Parish: Kilmallie
Reg No: I2163
Case Number: 64685
Application Type: Decrofting – part croft

Decision – Refused	Extent: 0.574 ha
Grounds for Decision	
<p>Sections 25(1)(a) and 25(2) of the Crofters (Scotland) Act 1993 (“the 1993 Act”) sets out those matters to which the Crofting Commission (“the Commission”) must give regard when reaching a decision on applications for a Commission direction to decroft a croft or part of a croft.</p> <p>Under section 25(1)(a) the Commission must be satisfied that the applicant has applied for the direction in order that the croft may be used for or in connection with some reasonable purpose (within the meaning of section 20 of the 1993 Act).</p> <p>In this particular case, the applicant has stated in the application form that the purpose of the application was to provide the site for three dwellinghouses, for which planning consent has been granted in principle.</p> <p>Whilst the Commission have determined that the applicant has demonstrated that the purpose applied for is a reasonable one within the meaning of section 20 of the 1993 Act, they must also balance the interests of the applicant in granting the Direction against the impact of any proposed decrofting in relation to the good of the croft and to the interests of the crofting community.</p> <p>The Commission have determined that by decrofting the area applied for, it will have a detrimental effect on the good of the croft by effectively fragmenting the croft into two separate parts making it unsustainable as a productive working unit. Having viewed the photographs accompanying the report from the SGRPID office in Inverness, the Commission consider that while site clearance is clearly required that it would be a relatively easy task to bring the croft back into full crofting use.</p> <p>Paragraph 41 of the Commission’s Policy Plan stipulates that <i>“When considering applications, the Commission also will wish to ensure that suitable access arrangements are provided for any croft land or, where appropriate, common grazing. Such access must be suitable for agricultural or other machinery required for the cultivation and maintenance of the croft.”</i> In this particular case, access to the remainder of the croft land in the east will have to go either over the area to be decrofted or over estate land to which no access right has been demonstrated by the applicant. Approving of the application would therefore add to the problems of fragmenting the croft by resulting in one of the fragmented areas being landlocked.</p> <p>The provisions under section 25(2) of the 1993 Act require the Commission to have regard to the general interest of the crofting community in the district in which the croft is situated and in particular to the demand, if any, for a tenancy of the croft from persons who might reasonably be expected to obtain that tenancy if the croft were offered for letting on the open market on the date when they are considering the application.</p> <p>In terms of the crofting community, there are 22 tenanted crofts in the township of North Ballachulish, five of which are deemed crofts comprising grazing rights only. There is clearly therefore a crofting community as defined by section 61 of the 1993 Act.</p> <p>The advertising of the decrofting proposal resulted in three objections being submitted to the Crofting Commission by members of the crofting community. Concern was expressed by the objectors that approving the application would render the croft not viable. Having considered this the Commission concur that it would have a detrimental impact on the community to make a direction that would fragment and partially landlock a potential sustainable crofting unit and make it unattractive to any future tenant.</p>	

In terms of demand the Commission notes and concurs with the comments made in the report by the local Scottish Government Rural Payments & Inspections Department that *“There is generally demand for croft land and any land that became available would be used.”* The objection from the clerk of the Committee also specifically states that *“There is a demand for crofts and as this one still has its house it would appeal to people who live outwith the area.”* Taking these comments based on local knowledge the Commission consider that there would be a demand for a tenancy if the croft were offered for letting on the open market.

The Commission did consider issuing a modified direction under section 25(5) of the 1993 Act to enable part of their proposal to be supported. However the Commission could not establish a mechanism for doing so which would result in all parts of the croft retaining suitable access provisions.

For the foregoing reasons the application has been refused.

However, it would be open for the applicants to submit a fresh application for a decrofting direction in respect of a more modest area which would not reduce the availability of arable croft land and would retain suitable access to all parts of the croft.

Croft: 8 Torvaig, 1 Rigg
Parish: Portree
Reg No: I3273
Case Number: 80336
Application Type: Assignment

Decision – Approved
Grounds for Decision
The application provided us with all necessary information to take a decision and is in line with the Commission Plan and Policy Guidance. We are therefore satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or have an adverse effect on the sustainable development of the crofting community.

Croft: 10 Dunans
Parish: Kilmuir (Skye)
Reg No: I2596
Case Number: 82556
Application Type: Assignment

Decision – Approved
Grounds for Decision
The application provided us with all necessary information to take a decision and is in line with the Commission Plan and Policy Guidance. We are therefore satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or have an adverse effect on the sustainable development of the crofting community.

Croft: 1 Penifiller
Parish: Portree
Reg No: I3235
Case Number: 84121
Application Type: Assignment

Decision – Approved
Grounds for Decision
The application provided us with all necessary information to take a decision and is in line with the Commission Plan and Policy Guidance. We are therefore satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or have an adverse effect on the sustainable development of the crofting community.

Croft: 8 Balmeanach
Parish: Portree
Reg No: I3064
Case Number: 81826
Application Type: Decrofting – Part Croft

Decision – Approved	Extent: 0.009 ha
Grounds for Decision	
Having considered all of the available information, the Commission is satisfied this application is for a reasonable purpose and that the extent of the land applied for is not excessive in relation to that purpose. The Commission has therefore agreed to grant the Direction as requested.	
Conditions of Direction	
Purpose:	Amenity ground
Enclosure of area:	The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of development being completed. That fence shall be maintained in good order and repair by each successive owner or occupier of the land.

Croft: 14 & 15 Borve
Parish: Snizort
Reg No: I3615
Case Number: 82256
Application Type: Sublet

Decision – Approved
Grounds for Decision
Having considered all of the available information, the Commission is satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or will have an adverse effect on the sustainable development of the crofting community and the application has been granted.
The sublet will be for the fixed period of three years.

Croft: **½9 Breacais Ard (Share)**
Parish: **Strath**
Reg No: **16899**
Case Number: **72702**
Application Type: **Apportionment**

Decision – Approved	Extent: 4.78 ha
Grounds for Decision	
<p>The Crofting Commission has considered the application by Mr Christopher John Dibble who has applied for an apportionment of part of the Breakish Moss Or Upper Breakish Common Grazings (Breacais Ard) Common Grazings, in respect of the grazings share pertaining to ½9 Breacais Ard (Share), Strath. The purpose of the application is in connection with stock management and, having considered all of the available evidence, the Commission has decided to approve the application to apportion the land extending to 4.78 ha for Mr Dibble’s exclusive use.</p> <p>The Commission, in coming to this decision, had regard to the content of its agreed policy plan and was satisfied this application was not in conflict with the published policy plan. The Commission decides every apportionment application on its individual merits and has considered the merits of the applicant’s proposal to use the land for additional grazing.</p> <p>The Commission considers how the proposed apportionment may adversely affect the interests of other shareholders and the use of any un-apportioned land. The Commission has noted that all interested parties are aware of the application and there have been no objections following the application advertisement. It has also noted and considered the evidence from the RPID reporting officer who has not raised any concerns regarding this application.</p> <p>The Commission have taken into account that the grazing committee have made no comment or objection as they are permitted to do under section 52(4) of the Act.</p>	
Purpose	
Stock management	
Conditions	
<p>(FIRST) The apportionment must be fenced in accordance with the attached map. Gates must also be erected on the old peat road. If you find it is not possible to enclose the area with a stockproof fence in terms of the attached map, you must complete the fencing within the line of apportionment. You must not encroach onto the unapportioned common grazing land. However, if there are any unforeseen physical constraints which prohibit from enclosing on or within the agreed fence line you may seek a review of the condition.</p> <p>(SECOND) You and your successors shall in all time coming maintain in a stockproof condition any new fences and gates erected to complete the enclosure of the said area of ground and that without prejudice to any liability they may have for the maintenance of any other fences and gates bounding the said area of ground.</p> <p>(THIRD) The souming for the said croft in the said common grazing shall be reduced from 2 cows and 22 sheep to 2 cows and 10 sheep.</p> <p>(FOURTH) Your liability for township expenses including the expenses incurred by the Committee in maintaining the said common grazing and in providing, maintaining and replacing any fixed equipment required in connection therewith, shall, notwithstanding the foregoing abatement of souming remain as hitherto (that is to say, based on the original souming) but the crofter may apply to the said Grazing Committee for modification of their liability for township obligations and if they are dissatisfied with the decision of the said Grazing Committee they can appeal therefrom to us.</p> <p>(FIFTH) The apportionment is granted on the understanding that the area apportioned is for your own exclusive use.</p> <p>(SIXTH) All existing rights of access over the area apportioned shall be reserved.</p>	

Croft: **½2 Breakish Moss**
Parish: **Strath**
Reg No: **I3919**
Case Number: **77417**
Application Type: **Decrofting – Part Croft**

Decision – Approved		Extent: 0.377 ha
Grounds for Decision		
<p>The Commission has considered your application under section 25(1)(a) of the Crofters (Scotland) Act 1993 to decroft an area of 0.377 ha, the stated purpose being to provide a site for a dwellinghouse and gives a direction.</p> <p>The Commission is satisfied on the available evidence that the application is for a reasonable purpose within the meaning of section 20 of the Act.</p> <p>Although the extent of the land to which the application applies is larger than would normally be granted in relation to that purpose, the area is considered justifiable given the size of the area applied for in relation to the croft as a whole.</p>		
Conditions of Direction		
Purpose:	Proposed new dwellinghouse	
Enclosure of area:	<p>The land must as a first change of use, be used, let or disposed of as a dwellinghouse.</p> <p>The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of development being completed.</p> <p>That fence shall be maintained in good order and repair by each successive owner or occupier of the land.</p>	

Croft: **½14 Breacais Ard**
Parish: **Strath**
Reg No: **I3941**
Case Number: **75005**
Application Type: **Decrofting – Part Croft**

Decision – Approved		Extent: 0.0181 ha
Grounds for Decision		
<p>Having considered all of the available information, the Commission is satisfied this application is for a reasonable purpose and that the extent of the land applied for is not excessive in relation to that purpose. The Commission has therefore agreed to grant the Direction as requested.</p>		
Conditions of Direction		
Purpose:	Amenity ground.	
Enclosure of area:	<p>The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of development being completed.</p> <p>That fence shall be maintained in good order and repair by each successive owner or occupier of the land.</p>	

Croft: 4 Kilbride
Parish: Strath
Reg No: I4067
Case Number: 70104
Application Type: Decrofting – Part Croft

Decision – Approved	Extent: 0.070 ha
Grounds for Decision	
<p>The Commission has considered the request for a hearing made by Anderson MacArthur, Solicitors, on behalf of their client Norman Stoddard who lodged objections to this application to decroft part of the croft, extending to 0.070 ha, for the purpose of providing a site for a dwellinghouse and has decided that a hearing is not necessary as the Commission consider it has sufficient evidence available to enable a decision on the application to be taken.</p> <p>Having considered all the evidence in this application, the Commission has decided in terms of section 24(3) and 25(1)(a) of the Crofters (Scotland) Act 1993 (“the Act”) to decroft part of the croft and has decided to grant a decrofting direction, extending to 0.070 ha, for the purpose of providing a site for a dwellinghouse.</p> <p>The grounds for the decision are as follows:</p> <ul style="list-style-type: none"> • In terms of section 25(1)(a) of the Act, the Commission must be satisfied <i>“that the applicant has applied for the direction in order that the croft may be used for or in connection with some reasonable purpose (within the meaning of section 20 of this Act) having relation to the good of the croft or of the estate or to the public interest or to the interests of the crofting community in the locality of the croft and that the extent of the land to which the application relates is not excessive in relation to that purpose.”</i> The Commission is satisfied that the provision of housing is a reasonable purpose within the meaning of section 20 of the Act and that the extent of 0.070 ha for the purpose of provide a site for a dwelling house is not excessive in relation to that purpose. • The Commission is satisfied that the granting of the direction will not have a negative impact on the remainder of the croft as access to the remainder of the croft will be unaffected. The RPID Reporting Officer has also advised that this site is the most suitable site on the croft for siting a house as it is the poorest part of the field, with rock outcrop in comparison with the remaining level hay meadow. • The Commission notes the croft is situated in a township consisting of ten crofts which satisfies the definition of a crofting community in terms of section 61 of the Act. The Commission is of the view that the provision of this house site would benefit the crofting community as it will provide a home for another family in a relatively quiet part of Skye. • The Commission is satisfied that granting a decrofting direction is not adverse to the public interest as the site already benefits from planning consent which has been through a public consultation process. <p>An objection was received from Norman Stoddard, who is a member of the crofting community. Mr Stoddard’s objection contained concerns about the applicant’s residency, lack of investment and development of the croft, a prior area being sold and the loss of good arable land. On balance, we consider the issues raised are out-weighted by the evidence from the applicant, advising the applicant is ordinarily resident at 4 Kilbride, by the evidence from the RPID Reporting Officer who advised that the applicant has invested in renewing the croft boundary fence and that the croft is of good quality grazing/hay meadow. Also that the area being sought is of the poorest part of the field, with a rock outcrop in comparison with the remaining level hay meadow. The Commission acknowledge that the applicant previously transferred an area of the croft, however this area was transferred following the division of the croft which had received Commission consent.</p>	

Conditions of Direction	
Purpose:	Site for proposed dwellinghouse.
Enclosure of area:	<p>The land must as a first change of use, be used, let or disposed of as a dwellinghouse.</p> <p>The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the development being completed.</p> <p>That fence shall be maintained in good order and repair by each successive owner or occupier of the land.</p>

Caithness, Orkney & Shetland

Croft: Waterytown
Parish: Cunningsburgh
Reg No: Z0729
Case Number: 83411
Application Type: Division by Tenant

Decision – Approved
Grounds for Decision
The application provided us with all necessary information to take a decision and is in line with the Commission Plan and Policy Guidance. We are therefore satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or have an adverse effect on the sustainable development of the crofting community.

Croft: Hoganess
Parish: Sandsting
Reg No: Z1705
Case Number: 83831
Application Type: Decrofting – part croft

Decision – Approved	Extent: 0.0278 ha
Grounds for Decision	
The application provided us with all necessary information to take a decision and is in line with the Commission Plan and Policy Guidance. We are therefore satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or have an adverse effect on the sustainable development of the crofting community.	
Conditions of Direction:	
Enclosure of area:	<ol style="list-style-type: none"> 1. The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the date of this Direction. 2. That fence shall be maintained in good order and repair by each successive owner or occupier of the land.
Additional Conditions:	The Direction will expire on 1 March 2018 unless an application for registration is received. The Direction will take effect on the date it's Registered

Croft: Eastshore
Parish: Dunrossness
Reg No: Z0659
Case Number: 84070
Application Type: Assingation

Decision – Approved
Grounds for Decision
The application provided us with all necessary information to take a decision and is in line with the Commission Plan and Policy Guidance. We are therefore satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or have an adverse effect on the sustainable development of the crofting community.

Croft: Longfield
Parish: Dunrossness
Reg No: Z0608
Case Number: 82459
Application Type: Decrofting – part croft

Decision – Approved		Extent: 0.012ha
Grounds for Decision		
The application provided us with all necessary information to take a decision and is in line with the Commission Plan and Policy Guidance. We are therefore satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or have an adverse effect on the sustainable development of the crofting community.		
Conditions of Direction		
Enclosure of area:	<ol style="list-style-type: none"> 1. The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the date of this Direction. 2. That fence shall be maintained in good order and repair by each successive owner or occupier of the land. 	
Additional Conditions:	The Direction will expire on 1 March 2018 unless an application for registration is received. The Direction will take effect on the date it is registered	

Croft: Harpsdale (Smithycroft)
Parish: Halkirk
Reg No: C0277
Case Number: 84005
Application Type: Decrofting – croft house site and garden ground

Decision – Approved		Extent: 0.065 ha
Grounds for Decision		
The application provided us with all necessary information to take a decision and is in line with the Commission Plan and Policy Guidance. We are therefore satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or have an adverse effect on the sustainable development of the crofting community.		
Conditions of Direction		
Enclosure of area:	<p>The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the acquisition of the date of this direction.</p> <p>That fence shall be maintained in good order and repair by each successive owner or occupier of the land.</p>	

Croft: Easthill
Parish: Westray
Reg No: O0504
Case Number: 79172
Application Type: Decrofting – croft house site and garden ground

Decision – Approved		Extent: 0.1744ha
Grounds for Decision		
<p>The application provided us with all necessary information to take a decision and is in line with the Commission Plan and Policy Guidance. We are therefore satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or have an adverse effect on the sustainable development of the crofting community.</p>		
Conditions of Direction:		
Enclosure of area:	<ol style="list-style-type: none"> 1. The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the date of this Direction. 2. That fence shall be maintained in good order and repair by each successive owner or occupier of the land. 	
Additional Conditions:	<p>The Direction will expire on 1 March 2018 unless an application for registration is received. The Direction will take effect on the date it's Registered</p>	

Croft: Colvadale
Parish: Unst
Reg No: Z1989
Case Number: 84068
Application Type: Assingation

Decision – Approved	
Grounds for Decision	
<p>The application provided us with all necessary information to take a decision and is in line with the Commission Plan and Policy Guidance. We are therefore satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or have an adverse effect on the sustainable development of the crofting community.</p>	

Croft: North Califf (Share)
Parish: Tingwall
Reg No: Z3481
Case Number: 83916
Application Type: Assingation

Decision – Approved	
Grounds for Decision	
<p>The application provided us with all necessary information to take a decision and is in line with the Commission Plan and Policy Guidance. We are therefore satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or have an adverse effect on the sustainable development of the crofting community.</p>	

Croft: Ockraquoy
Parish: Cunningsburgh
Reg No: Z0383
Case Number: 83766
Application Type: Assignation

Decision – Approved
Grounds for Decision
The application provided us with all necessary information to take a decision and is in line with the Commission Plan and Policy Guidance. We are therefore satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or have an adverse effect on the sustainable development of the crofting community.

Croft: Quarff Lodge
Parish: Lerwick
Reg No: Z0891
Case Number: 79188
Application Type: Decrofting – part croft

Decision – Approved	Extent: 0.085 ha
Grounds for Decision	
The application provided us with all necessary information to take a decision and is in line with the Commission Plan and Policy Guidance. We are therefore satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or have an adverse effect on the sustainable development of the crofting community.	
Conditions of Direction	
Purpose:	To provide a site for amenity ground
Enclosure:	The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the date of the Direction. That fence shall be maintained in good order and repair by each successive owner or occupier of the land.

Highland (excl Caithness)

Croft: 10 Achtoty
Parish: Tongue
Reg No: C4475
Case Number: 82177
Application Type: Decrofting – part croft

Decision – Approved		Extent: 0.149 ha
Grounds for Decision		
<p>The Commission has considered your application under section 24A and 25(1)(a) of the Crofters (Scotland) Act 1993 (“the Act”) to decroft part of the croft extending to 0.149ha, to provide amenity ground to your existing dwelling house and have agreed to grant a decrofting direction on the following grounds:</p> <ol style="list-style-type: none"> 1. Under section 25(1)(a) of the Act, the application is considered to be for a reasonable purpose (within the meaning of section 20 of the Act) and the extent applied for is considered not to be excessive in relation to that purpose. 2. There have been no objections received from any member of the crofting community in response to the advertising of the application to decroft. 3. Paragraph 67 of The Crofting Commission’s Policy Plan, states that: <i>“When considering applications, the Commission will wish to ensure that suitable access arrangements are provided for any croft land”</i>. The Commission have concluded that there are no issues with access to the remainder of the croft or to any other croft or common grazing land. 		
Conditions of Direction		
Purpose:	To provide amenity ground to an existing dwellinghouse.	
Enclosure	Within four months of the date of the Direction.	

Croft: Tore Park
Parish: Kilearnan
Reg No: R2041
Case Number: 83255
Application Type: Decrofting – whole croft

Decision – Approved		Extent: 0.137 ha
Grounds for Decision		
<p>The Commission has considered the application submitted under section 24A(1) and section 25(1)(b) (both) of the Crofters (Scotland) Act 1993 (“the 1993 Act”) to decroft the croft known as Tore Park, Killearnan extending to 0.137 ha and gives a direction decrofting the croft under section 24B(1) of the 1993 Act.</p> <p>In considering the application, the Commission has had regard to the general interest of the crofting community in the district in which the croft is satisfied. We note that no demand was expressed from persons who might reasonably be expected to obtain a tenancy of the croft, and are satisfied that due to the size of the croft, there will not be any adverse effect on the general interest of the crofting community in the district in granting the application.</p>		
Conditions of Direction		
Conditions:	<ol style="list-style-type: none"> 1. The land must as a first change of use, be used, let or disposed of as a house site and garden ground. 2. The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the development being completed. 3. That fence shall be maintained in good order and repair by each successive owner or occupier of the land. 	

Western Isles

Croft: 1 Dalmore
Parish: Barvas
Reg No: R0586
Case Number: 73940
Application Type: Assignment

Decision – Approved
Grounds for Decision
Having considered all of the available information, the Commission is satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or will have an adverse effect on the sustainable development of the crofting community and the application has been granted.

Croft: 21 Aird
Parish: South Uist
Reg No: I5792
Case Number: 79366
Application Type: Decrofting – Part Croft

Decision – Approved	Extent: 0.074 ha
Grounds for Decision	
Having considered all of the available information, the Commission is satisfied this application is for a reasonable purpose and that the extent of the land applied for is not excessive in relation to that purpose. The Commission has therefore agreed to grant the Direction as requested.	
Conditions of Direction	
Purpose:	Site for an extension to a hardware store.
Enclosure of area:	The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of development being completed. That fence shall be maintained in good order and repair by each successive owner or occupier of the land.

Croft: 2 Upper Carloway
Parish: Uig
Reg No: R5095
Case Number: 84223
Application Type: Assignment

Decision – Approved
Grounds for Decision
The application provided us with all necessary information to take a decision and is in line with the Commission Plan and Policy Guidance. We are therefore satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or have an adverse effect on the sustainable development of the crofting community.

Croft: 6 Borve, Berneray
Parish: Harris
Reg No: I1557
Case Number: 77824
Application Type: Apportionment

Decision – Approved	Extent: 0.20 ha
Grounds for Decision	
<p>The application provided us with all necessary information to take a decision and is in line with the Commission Plan and Policy Guidance. We are therefore satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or have an adverse effect on the sustainable development of the crofting community.</p>	
Purpose	
<p>Site of an existing agricultural shed.</p>	
Conditions	
<p>(FIRST) The apportionment must be fenced in accordance with the attached map. If you find it is not possible to enclose the area with a stockproof fence in terms of the attached map, you must complete the fencing within the line of apportionment. You must not encroach onto the unapportioned common grazing land. However, if there are any unforeseen physical constraints which prohibit from enclosing on or within the agreed fence line you may seek a review of the condition.</p> <p>(SECOND) You and your successors shall in all time coming maintain in a stockproof condition any new fences and gates erected to complete the enclosure of the said area of ground and that without prejudice to any liability they may have for the maintenance of any other fences and gates bounding the said area of ground.</p> <p>(THIRD) The souming for the said croft in the said common grazing shall remain unchanged.</p> <p>(FOURTH) Your liability for township expenses including the expenses incurred by the Committee in maintaining the said common grazing and in providing, maintaining and replacing any fixed equipment required in connection therewith, shall remain as hitherto (that is to say, based on the original souming) but you may apply to the said Grazing Committee for modification of your liability for township obligations and if you are dissatisfied with the decision of the said Grazing Committee you can make representations to the Crofting Commission.</p> <p>(FIFTH) The apportionment is granted on the understanding that the area apportioned is for your own exclusive use.</p> <p>(SIXTH) All existing rights of access over the area apportioned shall be reserved.</p>	

Croft: 7 North Dell
Parish: Barvas
Reg No: R0601
Case Number: 82711
Application Type: Assignment

Decision – Approved

Grounds for Decision

The Commission has considered your application to assign the tenancy of your croft (including the grazing share in North Dell Common Grazing) under section 8 of the Crofters (Scotland) Act 1993 (as amended) [“the Act”) and has **approved** your application on the following grounds:

1. No objections to the application have been received. The Commission considers, on the available evidence, that the consent hereby provided will not have an adverse effect on the interests of the crofting community in the locality of the croft or on the sustainable development of that crofting community. Approval of the application will bring a new entrant to crofting who will, on the available evidence, cultivate the croft.
2. We have had regard to whether the proposed assignee will be ordinarily resident on, or within 32 kilometres of, the croft and are satisfied from the available evidence that Mr Murray intends to relocate to the croft in approximately two years which the Commission consider to be a reasonable period of time. In addition it is noted that Mr Murray has purchased the decrofted house which formerly pertained to 7 North Dell.
3. In exercising our regulatory functions, the Commission must have regard to the desirability of supporting population retention in the crofting counties. The available evidence indicates that the consent hereby provided will bring a new entrant to crofting and so will tend to support population retention in the locality.