

NOTIFICATIONS AND GROUNDS AND DECISIONS FOR APPLICATIONS DECIDED

Applications between 24/09/18 – 30/09/18

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: 2 Kingsburgh
Parish: Snizort
Reg No: I5683
Case Number: 91273
Application Type: Assignation

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: ¾8 Drumfearn
Parish: Sleat
Reg No: I3407
Case Number: 90880
Application Type: Letting of a vacant croft by Landlord

Decision – Approved	Part Croft: 3.055 ha
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: 22 Portnalong
Parish: Bracadale
Reg No: I0817
Case Number: 80863
Application Type: Subletting

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.
Conditions
The sublet will be for the fixed period of 10 years.

Croft: 7 Totarder
Parish: Bracadale
Reg No: I0853
Case Number: 85920
Application Type: Assignation

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: ½6 Calligarry
Parish: Sleat
Reg No: I3341
Case Number: 90665
Application Type: Decrofting – Croft House Site and Garden Ground

Decision – Approved	Extent: 0.08 ha
Grounds for Decision	
Having considered all of the available information, the Commission is satisfied as required by the Crofters (Scotland) Act 1993 that the site consists only of the dwellinghouse on or pertaining to the croft and that the extent of the garden ground is appropriate for the reasonable enjoyment of the dwellinghouse as a residence and has agreed to grant the Direction as requested.	

Croft: 17 Calligarry
Parish: Sleat
Reg No: I3353
Case Number: 91027
Application Type: Decrofting – Part Croft

Decision – Approved	Extent: 0.135 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	
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.	

Croft: **¾8 Drumfearn**
Parish: **Sleat**
Reg No: **I3407**
Case Number: **81879**
Application Type: **Decrofting – Part Croft – Reasonable Purpose**

Decision – Refused	Extent: 0.477 ha
Grounds for Decision	
<p>The Commission has considered this application to decroft part of the croft at ¾8 Drumfearn, Sleat and refuses it. Sections 25(1)(a) 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 for a reasonable purpose.</p> <p>The grounds for decision are as follows:</p> <p>In terms of section 25(1)(a) of the Act, the Commission must be satisfied that the applicant has applied for a 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. The Commission is satisfied that the site of a garden, driveway and garage for a house previously built on the croft all falls within the meaning of section 20 of the Act and is one of the reasonable purposes listed in the 1993 Act. However, the Commission considers that an area of 0.477 ha is excessive in relation to this purpose and that it would not be for the good of the croft to decroft the whole of the area sought. The Commission has the power to issue a modified direction under section 25(5) of the 1993 Act to enable the applicant’s proposal to be supported by decrofting a reduced area that would have been reasonable for the proposed purpose in relation to the good of the croft and the public interest. However, the Commission noted from the Scottish Government Rural Payments & Inspections Department (SGRPID) Report that when this option was put to the applicant, they responded that they did not wish to modify the area applied for and accordingly the Commission has exercised its discretion not to modify the application. Nothing in this decision notice prevents the applicant from applying to decroft an area of ground that is not excessive for the purposes of a single dwellinghouse and is reasonable in relation to the good of the croft. Any new application would be determined on its merits and in line with applicable law and policy.</p> <p>Although the applicant considers the area applied for is unsuitable for crofting activities as it is of poor quality and has not been used for crofting purposes for a number of years, the Commission consider that this is not of itself a reason for granting a decrofting for an area of land considered to be excessive in relation to the purpose applied for. The Commission acknowledges that the land applied for is of poor agricultural quality, but notes that the land at Drumfearn township generally is of poor quality and that poor quality is not a good reason in and of itself for decrofting. The Commission also notes that croft land can be used for other purposeful uses other than agricultural activities (with landlord consent, where appropriate). The Commission notes the croft is situated in a township which satisfies the definition of a crofting community in the district in terms of section 61 of the Act. In the Commission's view, the removal from crofting tenure of the area applied for would reduce the local pool of croft land (which could be used for other purposeful uses other than traditional crofting activities) available to persons who might obtain crofter status (whether tenanted or owned) or who may wish to develop their activities whether as existing crofters or as new entrants to crofting. Therefore, the Commission considers that it would not be in the interest of the crofting community in the district to decroft the area applied for.</p>	

In considering applications to decroft the Commission must have reference to its Policy Plan as published and in this regard we refer to paragraph 67 in support of our decision, which states:

The Commission aims to protect land from being lost to crofting. A decrofting direction irrevocably removes the land subject to the application from crofting tenure. The Commission takes a long-term view when determining applications and will exercise its discretion to consider, amongst other factors, the advantages of retaining the croft (or part thereof) as part of the pool of croft land in the locality. Applications that are made only for the reason of taking the croft, or part of the croft, out of crofting tenure are unlikely to be approved.

The SGRPID Reporting Officer has stated that there is a high demand for land anywhere In Skye with people continuously moving to the island. The south of the island is where the highest demand for land is as there is an increase in population linked to the Sabhal Mor Ostaig. Therefore, the Commission is of the view that there would be demand for a tenancy of the croft, if it were actually to become available for letting on the open market. This forms the secondary reason why the Commission has refused the application.

For the foregoing reasons the application has been **Refused**.

Caithness, Orkney & Shetland

Croft: Isbister
Parish: Northmavine
Reg No: Z1396
Case Number: 85215
Application Type: Assignation

Decision – Approved

Grounds for Decision

The Commission has considered the application to assign the tenancy of the croft at Isbister, Northmavine (including grazings share) under section 8 of the Crofters (Scotland) Act 1993 (“the 1993 Act”) and has **approved** the application on the following grounds: -

In terms of Section 58A(7)(a)(i) of the 1993 Act, the Commission must have regard to whether the proposed tenant will be ordinarily resident on, or within 32 kilometres of the croft. The Commission note that the proposed tenant is currently resident in Isbister and are therefore satisfied that the residency duty will be complied with by the proposed tenant.

In terms of Section 58A(7)(a)(ii) of the 1993 Act, the Commission must have regard to whether the croft will be cultivated or put to a purposeful use under section 5C(4) of the 1993 Act. The Commission note from the SGRPID report that the proposed tenant currently works the croft on his mother’s behalf along with another croft at Isbister and one at Windhouse. The report comments that at the time of the site visit to the croft, May 2018, there were 70 breeding Cheviot cross ewes and 150 Shetland ewes lambing on the crofts along with 8 young Luing/Hereford heifers. The proposed tenant indicated that if he is successful in obtaining the croft, he intended to carry out improvements to a Nissan hut on the croft which is used for winter housing of cattle. He also intends to make further investments in the croft, replacing fencing and undertaking ditching works to improve the quality of grazing and providing more silage ground. The Commission are therefore satisfied that the proposed tenant will comply with the duty to cultivate the croft.

The Commission must give regard to the interests of the estate under subsection 58A(7)(b) of the 1993 Act. We have received no objection from the landlord/estate in respect of the land to which the application relates and do not therefore consider on the available evidence that the interests of the estate will be adversely affected.

Sections 58A(7)(c) and (d) of the Act relate to the interests of the crofting community in the locality of the croft and the sustainable development of that crofting community. The Commission consider that approving this application will not have an adverse effect on the interest 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 and comply with the duty to be ordinarily resident.

The interests of the public at large must also be considered under subsection 58A(7)(e) of the Act. The Commission has found no evidence to suggest that the interests of the public at large would be affected, either positively or negatively by the proposed assignation.

Subsection 58A(7)(f) of the 1993 Act relates to any objections received to the application. The Commission have received one objection from a member of the crofting community. The objection makes a number of points including the existence of dilapidated fencing on the croft, the existing damaged outbuildings on the croft, effluent being allowed to run down to the main road and cattle being inadequately housed. The SGRPID report comments on a number of these issues; the report concludes that while there are fences that need replaced,

they generally found the fencing to be in good order. Nevertheless, the proposed tenant indicated that if he obtained the tenancy, he would prioritise investing on fencing the worst affected areas. The report also advises that SEPA will advise the proposed tenant on the improvements required to improve waste management for the Nissan hut and the position of bales and midden. Therefore, while noting the concerns expressed in the objection, the Commission consider that the proposed tenant has demonstrated that he is prepared to make the required investment should he be successful in obtaining the tenancy of the crofts.

Section 58A(7)(g) of the Act requires that in reaching a decision on such applications the Commission must have regard to their Policy Plan. We have had regard to the Commission's Policy Plan and are satisfied that the consent hereby provided is consistent with our Policy Plan in relation to assignments.

For the foregoing reason the assignment application has been **approved**.

Croft: **Isbister**
Parish: **Northmavine**
Reg No: **Z1397**
Case Number: **85216**
Application Type: **Assignment**

Decision – Approved

Grounds for Decision

The Commission has considered the application to assign the tenancy of the croft at Isbister, Northmavine (including grazings share) under section 8 of the Crofters (Scotland) Act 1993 (“the 1993 Act”) and has **approved** the application on the following grounds: -

In terms of Section 58A(7)(a)(i) of the 1993 Act, the Commission must have regard to whether the proposed tenant will be ordinarily resident on, or within 32 kilometres of the croft. The Commission note that the proposed tenant is currently resident in Isbister and are therefore satisfied that the residency duty will be complied with by the proposed tenant.

In terms of Section 58A(7)(a)(ii) of the 1993 Act, the Commission must have regard to whether the croft will be cultivated or put to a purposeful use under section 5C(4) of the 1993 Act. The Commission note from the SGRPID report that the proposed tenant currently works the croft on his mother's behalf along with another croft at Isbister and one at Windhouse. The report comments that at the time of the site visit to the croft, May 2018, there were 70 breeding Cheviot cross ewes and 150 Shetland ewes lambing on the crofts along with 8 young Luing/Hereford heifers. The proposed tenant indicated that if he is successful in obtaining the croft, he intended to carry out improvements to a Nissan hut on the croft which is used for winter housing of cattle. He also intends to make further investments in the croft, replacing fencing and undertaking ditching works to improve the quality of grazing and providing more silage ground. The Commission are therefore satisfied that the proposed tenant will comply with the duty to cultivate the croft.

The Commission must give regard to the interests of the estate under subsection 58A(7)(b) of the 1993 Act. We have received no objection from the landlord/estate in respect of the land to which the application relates and do not therefore consider on the available evidence that the interests of the estate will be adversely affected.

Sections 58A(7)(c) and (d) of the Act relate to the interests of the crofting community in the locality of the croft and the sustainable development of that crofting community. The Commission consider that approving this application will not have an adverse effect on the interest 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 and comply with the duty to be ordinarily resident.

The interests of the public at large must also be considered under subsection 58A(7)(e) of the Act. The Commission has found no evidence to suggest that the interests of the public at large would be affected, either positively or negatively by the proposed assignation.

Subsection 58A(7)(f) of the 1993 Act relates to any objections received to the application. The Commission have received one objection from a member of the crofting community. The objection makes a number of points including the existence of dilapidated fencing on the croft, the existing damaged outbuildings on the croft, effluent being allowed to run down to the main road and cattle being inadequately housed. The SGRPID report comments on a number of these issues; the report concludes that while there are fences that need replaced, they generally found the fencing to be in good order. Nevertheless, the proposed tenant indicated that if he obtained the tenancy he would prioritise investing on fencing the worst affected areas. The report also advises that SEPA will advise the proposed tenant on the improvements required to improve waste management for the Nissan hut and the position of bales and midden. Therefore, while noting the concerns expressed in the objection, the Commission consider that the proposed tenant has demonstrated that he is prepared to make the required investment should he be successful in obtaining the tenancy of the crofts.

Section 58A(7)(g) of the Act requires that in reaching a decision on such applications the Commission must have regard to their Policy Plan. We have had regard to the Commission's Policy Plan and are satisfied that the consent hereby provided is consistent with our Policy Plan in relation to assignations.

For the foregoing reason the assignation application has been **approved**.

Croft: **Windhouse**
Parish: **Northmavine**
Reg No: **Z1421**
Case Number: **85217**
Application Type: **Assignation**

Decision – Approved

Grounds for Decision

The Commission has considered the application to assign the tenancy of the croft at Windhouse, Northmavine (including grazings share) under section 8 of the Crofters (Scotland) Act 1993 ("the 1993 Act") and has **approved** the application on the following grounds: -

In terms of Section 58A(7)(a)(i) of the 1993 Act, the Commission must have regard to whether the proposed tenant will be ordinarily resident on, or within 32 kilometres of the croft. The Commission note that the proposed tenant is currently resident in Windhouse and are therefore satisfied that the residency duty will be complied with by the proposed tenant.

In terms of Section 58A(7)(a)(ii) of the 1993 Act, the Commission must have regard to whether the croft will be cultivated or put to a purposeful use under section 5C(4) of the 1993 Act. The Commission note from the SGRPID report that the proposed tenant currently works the croft on his mother's behalf along with another two crofts at Isbister. The report comments that at the time of the site visit to the croft, May 2018, there were 70 breeding Cheviot cross ewes and 150 Shetland ewes lambing on the crofts along with 8 young Luing/Hereford heifers. The proposed tenant indicated that if he is successful in obtaining the croft he intended to carry out improvements to a Nissan hut on the croft which is used for winter housing of cattle. He also intends to make further investments in the croft, replacing fencing and undertaking ditching works to improve the quality of grazing and providing more silage ground. The Commission are therefore satisfied that the proposed tenant will comply with the duty to cultivate the croft.

The Commission must give regard to the interests of the estate under subsection 58A(7)(b) of the 1993 Act. We have received no objection from the landlord/estate in respect of the land to which the application relates and do not therefore consider on the available evidence that the interests of the estate will be adversely affected.

Sections 58A(7)(c) and (d) of the Act relate to the interests of the crofting community in the locality of the croft and the sustainable development of that crofting community. The Commission consider that approving this application will not have an adverse effect on the interest 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 and comply with the duty to be ordinarily resident.

The interests of the public at large must also be considered under subsection 58A(7)(e) of the Act. The Commission has found no evidence to suggest that the interests of the public at large would be affected, either positively or negatively by the proposed assignation.

Subsection 58A(7)(f) of the 1993 Act relates to any objections received to the application. The Commission have received one objection from a member of the crofting community. The objection makes a number of points including the existence of dilapidated fencing on the croft, the existing damaged outbuildings on the croft, effluent being allowed to run down to the main road and cattle being inadequately housed. The SGRPID report comments on a number of these issues, the report concludes that while there are fences that need replaced, they generally found the fencing to be in good order. Nevertheless, the proposed tenant indicated that if he obtained the tenancy, he would prioritise investing on fencing the worst affected areas. The report also advises that SEPA will advise the proposed tenant on the improvements required to improve waste management for the Nissan hut and the position of bales and midden. Therefore, while noting the concerns expressed in the objection, the Commission consider that the proposed tenant has demonstrated that he is prepared to make the required investment should he be successful in obtaining the tenancy of the crofts.

Section 58A(7)(g) of the Act requires that in reaching a decision on such applications the Commission must have regard to their Policy Plan. We have had regard to the Commission's Policy Plan and are satisfied that the consent hereby provided is consistent with our Policy Plan in relation to assignations.

For the foregoing reason the assignation application has been **approved**.

Croft: Gravesend & Ramnabanks
Parish: Dunrossness
Reg No: Z0392
Case Number: 90753
Application Type: Decrofting – Croft House Site and Garden Ground

Decision – Approved		Extent: 0.16 ha
Grounds for Decision		
Having considered all of the available information, the Commission is satisfied as required by the Crofters (Scotland) Act 1993 that the site consists only of the dwellinghouse on or pertaining to the croft and that the extent of the garden ground is appropriate for the reasonable enjoyment of the dwellinghouse as a residence and has agreed to grant the Direction as requested.		
Conditions of Direction		
Enclosure of area:	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.	

Croft: **Caldale, Westside, Eday**
Parish: **Eday**
Reg No: **O0045**
Case Number: **89368**
Application Type: **Decrofting – Part Croft**

Decision – Approved	Extent: 0.235 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	
The land must as a first change of use, be used, let or disposed of as additional land for the Tidal Energy Test facility.	
The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the development being completed.	
That fence shall be maintained in good order and repair by each successive owner or occupier of the land.	

Highland (excl Caithness)

Croft: **77 Ardmore**
Parish: **Eddrachillies**
Reg No: **S0866**
Case Number: **91308**
Application Type: **Consent to be absent**

Decision – Approved
Grounds for Decision
The Commission has considered the application for consent to be absent from the croft under section 21B of the Crofters (Scotland) Act 1993, is satisfied that there is a good reason for the crofter not to be ordinarily resident on, or within, 32 kilometres of the croft and grants the crofter consent to be absent until 30 June 2022.

Croft: **302 Clashnessie**
Parish: **Assynt**
Reg No: **S2550**
Case Number: **91051**
Application Type: **Consent to be absent**

Decision – Approved
Grounds for Decision
The Commission has considered the application for consent to be absent from the croft under section 21B of the Crofters (Scotland) Act 1993, is satisfied that there is a good reason for the crofter not to be ordinarily resident on, or within, 32 kilometres of the croft and grants the crofter consent to be absent until 14 August 2023.

Croft: **West Achininver**
Common Grazing: **Achiltibuie etc Common Grazings**
Parish: **Lochbroom**
Reg No: **R2419**
Case Number: **75660**
Application Type: **Apportionment**

Decision – Approved	Extent: 18.2 ha (approximately)
Grounds for Decision	
<p>The Commission considered this application submitted under section 52(4) of the Crofters (Scotland) Act 1993 (“the 1993 Act”) to apportion part of the Achiltibuie, Acha-Braighe, Ach-An-Inbher, Achduart, Achlochlan & Achnacarnan Common Grazings comprising two parts extending in total to 18.38 ha, in respect of the grazing share pertaining to West Achininver. The proposed use being for stock management and tree planting purposes. The application is granted on the following grounds:</p> <p>The Commission is satisfied that the Apportionment will be for the exclusive use of the applicant.</p> <p>The Commission is required under section 52(4) of the 1993 Act to consult with the Grazing Committee when considering an application to apportion an area of common grazing land. Following a site visit by an officer from the local Scottish Government Rural Payments and Inspections Directorate (SGRPID) office, and as the application had caused some concern in the area, the applicant agreed to modify the area applied for to approximately 18.2 ha. The Grazings Committee support the modified area.</p> <p>Concern was expressed by one of the owners of the common grazings about the restriction of access to and through the smaller area, as it is used by walkers to access the river and also provides access to the beach. However, the applicant has committed to installing gates to ensure that access is maintained and the requirement to install these gates to allow continuing access will be included in the conditions contained in the apportionment order.</p> <p>Concern was also expressed by one of the owners of the common grazings about the feasibility of the applicant’s proposal to plant trees on part of the apportioned area. However, the Commission noted the assessment in the SGRPID report that the applicant’s proposal to use native varieties of trees to provide shelter and eventually firewood seemed feasible and in line with approved uses.</p> <p>The Commission is therefore satisfied that there was no evidence to suggest that the apportionment will adversely affect either (i) the interests of the crofters sharing in the grazings or (ii) that part of the common grazings remaining unapportioned.</p>	
Purpose	
Stock management and tree planting.	
Conditions	
<p>(FIRST) The apportionment must be fenced in accordance with the attached map. If you find it is not possible to enclose the areas 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 areas of ground and that without prejudice to any liability they may have for the maintenance of any other fences and gates bounding the said areas of ground.</p>	

(THIRD) The souming for the said croft in the Township Common of the said common grazings shall be reduced from fifty-five sheep to forty-nine sheep.

(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 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.

(FIFTH) You and your successors shall use the area hereby apportioned for stock management and tree planting purposes.

(SIXTH) The apportionment is granted on the understanding that the area apportioned is for your own exclusive use.

(SEVENTH) All existing rights of access over the area apportioned shall be reserved. Gates to allow pedestrian access through the smaller of the two areas hereby apportioned (marked 'A' on the attached map) must be installed at the top and bottom of the area.

Croft: 5 & 6 Upper Inveroy
Parish: Kilmonivaig
Reg No: I2345
Case Number: 86199
Application Type: Decrofting – Part Croft

Decision – Approved	Extent: 0.055 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	
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.	

Western Isles

Croft: 6 Seilebost
Parish: Harris
Reg No: I1995
Case Number: 88728
Application Type: Decrofting – Part Croft

Decision – Approved		Extent: 0.068 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:	Existing house site	
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 Borve
Parish: Harris
Reg No: I1547
Case Number: 89832
Application Type: Decrofting – Croft House Site and Garden Ground

Decision – Approved		Extent: 0.0678 ha
Grounds for Decision		
Having considered all of the available information, the Commission is satisfied as required by the Crofters (Scotland) Act 1993 that the site consists only of the dwellinghouse on or pertaining to the croft and that the extent of the garden ground is appropriate for the reasonable enjoyment of the dwellinghouse as a residence and has agreed to grant the Direction as requested.		
Conditions of Direction		
Enclosure of area:	The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the acquisition of the land by the crofter or nominee. That fence shall be maintained in good order and repair by each successive owner or occupier of the land.	

Croft: 6 Steinish
Common Grazing: Steinish Common Grazing
Parish: Stornoway
Reg No: R4588
Case Number: 83019
Application Type: Apportionment

Decision – Approved	Extent: 0.955 ha
Grounds for Decision	
The application for the Commission’s consent to apportion a part of the above common grazing for the applicant’s own exclusive use has been approved subject to the below conditions.	
Purpose	
Stock management	
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 as hitherto.</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) You and your successors shall use the area hereby apportioned for the purposes of stock management.</p> <p>(SIXTH) The apportionment is granted on the understanding that the area apportioned is for your own exclusive use.</p>	