

Application to Create a New Croft



**CROFTING COMMISSION
COIMISEAN NA CROITEARACHD**

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**Please read the enclosed guidance notes carefully before starting.
Incomplete forms cannot be considered and will be returned to you.**

Part 1 - Contact Details (all applicants)

1 Applicant Details (fields marked with an (*) asterisk must be filled in)

Name of Organisation/Company (if applicable):	
*Surname:	*Title:
*Forename(s):	
Date of Birth:	
*Postal Address:	
	*Post Code:
*Daytime Tel No	
Mobile No:	
E-mail:	

2 Owner Details (if not already provided at question 1)

Name of Organisation/Company (if applicable):		
*Surname:		*Title:
*Forename(s):		
*Postal Address:		
		*Post Code:
*Daytime Tel No:		
Mobile No:		
E-mail:		

3 Tenant Details (if not already provided at question 1)

*Surname:		*Title:
*Forename(s):		
*Postal Address:		
		*Post Code:
*Daytime Tel No:		
Mobile No:		
E-mail:		

4 Applicant's Agent Details

Factor/Agents Name:		
Postal Address:		
		Post Code:
Daytime Tel No:		
Mobile No:		
E-mail:		

Part 2 - Your Status

- All applicants must fill in this page

5 You must tick ✓ the box that describes you.

(i) **I own the land**
(Please refer to Guidance Notes)

Go to PART 3

If you are applying as the owner, if approved, you will be the constituting landlord of the croft. Please be aware that this may have implications for your eligibility for certain forms of grant assistance. Please contact your grant provider for more information.

(ii) **I am the tenant of the holding**
(Please refer to Guidance Notes)

Go to PART 4

Part 3 - Eligibility Criteria for Landowner Applicants

- If you own the land you must fill in this page

6 You must confirm the location of your holding. Please tick ✓ the box that is appropriate to you.

(i) **My land is located** go to question 8
within the crofting counties

(ii) **My land is located** go to question 7
outwith the crofting counties

7 My land is in an area designated by the Scottish Ministers as being suitable for creating new crofts (tick ✓ Yes or No) Yes No

Important:

If you answer '**No**' to question 7, you are **not** eligible to apply to register the holding as a croft.

If you answer '**Yes**' to question 7, you must send a copy of the Order designating the area as being suitable for creating new crofts. Go to question 8.

8 Is the land currently let to a tenant? – Please tick ✓ the box that's appropriate to you.

Yes go to part 5

No go to part 6

Part 4 - Eligibility Criteria for Tenant Applicants

- If you are applying as the holding tenant you must fill in this page

Please tick ✓ Yes or No to questions 9-11

9 I am tenant of a holding located outwith the crofting counties Yes No

and

10 My holding is in an area designated by the Scottish Ministers as being suitable for creating new crofts (a copy of the Order designating land must be enclosed with application) Yes No

and

11 I have obtained a certificate from the Scottish Land Court confirming my status under the Small Landholders Acts 1886-1931 Yes No

Important: If you answer '**No**' to question 9, 10 or 11, you are not eligible to apply to register the holding as a croft.

12 Does your tenancy form part of a larger agricultural unit or business Yes No

Important: If you answer '**Yes**' to question 12, you are not eligible to apply to register the holding as a croft.

13 How much is the rent for the holding: _____

14 Compensation details. Please tick ✓ the box that is appropriate to you:

(i) Agreement has been reached about the amount of compensation payable if the holding is registered as a croft

(ii) Agreement reached - no compensation will be payable to the owner, if the holding is registered as a croft

(iii) A valuer has been appointed to determine compensation

Part 5 – Details of Tenancy for Landowner Applicants

- If you own a land that has a tenant, you must fill in this page

15 How much is the rent for the land: £_____

16 Does the tenant agree with the land being registered as a croft (Tick ✓ Yes or No) Yes No

If **'Yes'** you must provide written confirmation to this effect signed by the tenant. A sample form of agreement is attached at Appendix 1 at the end of this form for your use.

Important: If you answer **'No'** to the above question, you are not eligible to apply to have the land constituted as a croft.

17 If approved, do you intend to let the new croft to the tenant subject to the statutory conditions of tenure as described in the Crofters (Scotland) Act 1993 (as amended) (Refer to Appendix 1 of Explanatory Notes) Yes No

If you have answered **'No'** above, you must provide us with a copy of the conditions of let you intend to use.

If you intend to enter into a contract or agreement which deprives the tenant of rights in relation to assignation, purchase, sharing in the value of land resumed by the landlord, and/or sharing in the value of land taken possession of compulsorily, the Commission must be provided with a copy of the contract or agreement. In addition, if you have entered into a contract or agreement which deprives the tenant of any other rights, the contract or agreement will also have to be approved by the Scottish Land Court.

18 Are you related to the tenant? (Tick ✓ Yes or No) Yes No

If **'Yes'** please give details of family relationship: _____

Part 6 – Application Details

- All applicants must fill in this page

19 Please explain your reason(s) for applying to have the land/holding constituted as a croft:

If you are applying as the owner, if approved, you will be the constituting landlord of the croft. Please be aware that this may have implications for your eligibility for certain forms of grant assistance. Please contact your grant provider for more information.

20 Do you own any equipment for cultivating the land? Yes No
(Tick ✓ Yes or No)

If 'Yes' please give details: _____

21 Do you occupy any other land? (Tick ✓ Yes or No) Yes No

If 'Yes' you must provide information on the following:

(i)

Agric Code No	Croft/Holding Name	Any common grazing rights (Yes/No)	Area in Hectares	Status eg owner, tenant	Details of stock held on other land

(ii) Details of how the additional land is managed:

Part 7 – Holding Details

- All applicants must fill in this page

22

Holding Name:		
Holding Address:		
	Post Code (if known):	
Agricultural Code Number (if known):		
Total Extent of holding (in hectares):		

23 Please give name and extent for each new croft to be created from this holding:

Name: _____ Extent: _____ ha

Name: _____ Extent: _____ ha

Name: _____ Extent: _____ ha

Name: _____ Extent: _____ ha

24 How is the land currently used?

25 Do you own or keep any livestock on the holding
(Tick ✓ Yes or No)

Yes No

If 'Yes' please give details: _____

26 Are there any dwellinghouses on the holding?
(Tick ✓ Yes or No)

Yes No

If 'Yes' please give details: _____

Part 7 - Holding Details (Cont'd)

- All applicants must fill in this page

27 Are there any agricultural buildings on the holding? Yes No
(Tick ✓ Yes or No)

If 'Yes' please give details: _____

28 Does any part of the holding comprise any of the following?
(Tick ✓ Yes or No as appropriate)

(i) **National Nature Reserve** Yes No

(ii) **Environmentally Sensitive Area** Yes No

(iii) **Site of Special Scientific Interest** Yes No

(iv) **Special Protection Area** Yes No

(v) **Special Area of Conservation** Yes No

If 'Yes' please enclose a copy of your Management Agreement with Scottish Natural Heritage.

29 Does the holding have any rights in a common grazing? Yes No
(Tick ✓ Yes or No)

If 'Yes' please give details

(i) Name of Common Grazing: _____

(ii) Shareholding/Stock entitlement:

Part 8 – Socio-Economic and Public Interest Information

- All applicants must fill in this page

30 Please provide details of any anticipated socio-economic or public interest benefits if the land is registered as a croft; for example additional employment, additional revenue to the local area, new business opportunities, retention of local services, bring new people, skills or both to the area and so on.

31 Please provide details of any community workings you take part in; for example, livestock gatherings, agricultural neighbouring, community projects and farmers markets, or local produce markets and so on.

Part 10 – Application Documentation

- All applicants must fill in this page

33 You must tick ✓ the documentation you are enclosing with your application.

- | | |
|---|---|
| A Location plan showing holding boundaries | <input type="checkbox"/> (ALL APPLICATIONS) |
| B Copy of the Scottish Ministers Order designating an area outwith crofting counties where new crofts may be created | <input type="checkbox"/> (Required for holdings located outwith the crofting counties) |
| C Copy of a certificate from the Scottish Land Court confirming the tenancy is one to which the Small Landholders Acts apply | <input type="checkbox"/> (Required for all applications by a tenant to register land) |
| D Copy of the tenant's agreement to land being registered as a croft | <input type="checkbox"/> (Required for applications by owners of tenanted holdings) |
| E Copy of varied Conditions of Let (if any) | <input type="checkbox"/> (Required where of let have been changed question 17 refers) |
| F Copy Management Agreement with Scottish Natural Heritage (SNH) | <input type="checkbox"/> (Required where any part of your holding of is designated by SNH question 28 refers) |

Part 11 - Declaration (all Applicants)

The application is submitted under section 3A of the Crofters (Scotland) Act 1993, as amended to have the land/holding constituted as a croft.

I/*we hereby certify that, to the best of my/*our knowledge and belief, the particulars given on this form are correct and complete.

Important Note for Owners:

N.B. If we approve this application, you will be entered in our Register as the constituting landlord of the new croft. If the land is currently let to a tenant, they will be shown on the Register of Crofts as the tenant of the croft. If the land is not currently let, the new croft will be shown on the Register of Crofts as vacant.

*Signature of applicant(s)/ agent:

Date: _____

Application under section 3A of the Crofters (Scotland) Act 1993, as amended.

Written Agreement where the land is tenanted

Name of Holding: _____

Name of Owner: _____

Name of Tenant: _____



I agree to the owner of the above-named holding applying under section 3 of the Crofters (Scotland) Act 1993, as amended to have the holding of which I am tenant constituted as a croft. If the application is approved, I am aware that I will be entered in the Register of Crofts as the croft tenant.

Signed: _____
(Tenant)

Please Print Name here: _____

Date: _____

Appendix 2 Example Location Map

-  Access
-  Croft Boundary

8 Up-to-date Ordnance Survey map: we use Ordnance Survey maps, so it helps us considerably if you use the same background map so we can accurately position your site.

1. Whole croft boundaries: should be clearly shown, with a blue outline.

7. Access: clearly show any stock/machinery access to the remainder of the croft and adjacent croft land (preferably in green). This should be a minimum of 4m wide.

6. Map Scale: should be between 1:2,500 and 1:10,000. This scale usually gives good detail of the proposed new croft and enough **surrounding local features** like fences, rivers, buildings and roads that will allow us to accurately position your new croft.

2. Map Size: the minimum size of any single site map is A4 and the maximum size of any single site map is A3. This is due to scanning and photocopying limitations.

5. Scale bar and text: a scale bar and text will help us identify any photocopying issues and allow us to check your boundary measurements.

4. North arrow: so we can orientate your map when trying to locate the croft.

3. Map Coordinate: of the middle of the site in national grid 6 figure format (eg: NG 033 836). This makes it very easy for us to locate your site.

Scale: 1:2,500

0 25 50 100 150
Metres



GRID REF: NG 033 836

DISCLAIMER: Locations, boundaries and associated information depicted on this map were compiled from the best available sources known to us. No liability is assumed for the accuracy or completeness of the information contained herein.
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