

# Application to Create a New Croft



**CROFTING COMMISSION  
COIMISEAN NA CROITEARACHD**

Great Glen House, Leachkin Road,  
Inverness IV3 8NW  
Telephone: (01463) 663450 Fax: 725067  
[www.crofting.scotland.gov.uk](http://www.crofting.scotland.gov.uk)  
e-mail: [info@crofting.scotland.gov.uk](mailto:info@crofting.scotland.gov.uk)

**Please read the enclosed explanatory 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 4

(ii) **I am the tenant of the holding**

Go to PART 3

### 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 holding is located  go to question 7  
within the crofting counties

(ii) My holding is located  go to question 8  
outwith the crofting counties

7 My holding 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 14, you are **not** eligible to apply to register the holding as a croft.

If you answer ‘**Yes**’ to question 14, you must send a copy of the Order designating the area as being suitable for creating new crofts. Go to question 15.

8 Who occupies the holding? – Please tick ✓ the box that’s appropriate to you.

(i) I occupy the holding  go to part 5

(ii) The holding is let to a tenant  go to part 6

(iii) I intend to let the holding  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 10, 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 land is registered as a croft

(ii) Agreement reached - no compensation will be payable to the owner, if the land 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 holding that has a tenant, you must fill in this page

15 How much is the rent for the holding: £\_\_\_\_\_

16 Does the tenant agree with the holding 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 register the holding 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 must also 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 register holding as a croft:

---



---



---



---



---

If you will be the constituting landlord of the croft, please be aware that you may not be eligible for grant assistance. Please contact your grant provider for more information.

20 Do you own any equipment for cultivating the holding? 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.

- |   |   |
|---|---|
| <b>A</b> Location plan showing holding boundaries   | <input type="checkbox"/> (ALL APPLICATIONS)   |
| <b>B</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 <b>outwith</b> the crofting counties)                 |
| <b>C</b> 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)                         |
| <b>D</b> Copy of the tenant's agreement to land being registered as a croft   | <input type="checkbox"/> (Required for applications by owners of tenanted holdings)                           |
| <b>E</b> Copy of varied Conditions of Let and, if applicable, copy of the Scottish Land Court's determination                       | <input type="checkbox"/> (Required where statutory conditions of let have been changed question 17 refers)    |
| <b>F</b> 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 Crofting Reform Etc Act 2007 to register land 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.

\*Signature of applicant, applicants or agent:

---

---

---

---

Date: \_\_\_\_\_

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

**Tenant Agreement**

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 Crofting Reform Etc Scotland Act 2007 to have the holding of which I am tenant registered 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

