

Creating a new croft Cruthachadh croit ùr

Can new crofts be created?

Yes, if the Commission consider it is in the public interest and there would be social or economic benefits, land can now be designated as croft land within the existing crofting counties or in the designated new areas for crofting which are:

- Arran, Bute, Greater and Little Cumbrae, Moray and parts of Highland not already within the seven traditional Crofting Counties. For more information on new crofting areas visit www.gov.scot/Topics/farmingrural/Rural/crofting-policy/new-crofting-areas

Who can apply?

- The owner of any land in the crofting counties or in an area outside the crofting counties designated where new crofts can be created.
- The tenant of a non-croft holding in an area outside the crofting counties which has been designated where new crofts can be created.

Why do I have to apply to the Crofting Commission?

The Crofting Commission is the regulatory body for crofting. Crofts are a valuable resource that should be available both now and in the future, for existing crofters and new entrants to crofting, to use productively. The Crofting Commission has regulatory duties and powers to work with crofters and crofting communities to:

- Ensure crofts are occupied by a tenant or owner-occupier crofter
- Prevent misuse and neglect of the land
- Ensure the crofts are cultivated or put to other purposeful uses.

How do I apply?

- You must complete the appropriate application form and send it, along with a map, showing the location and boundaries of the proposed new croft to the Commission. Application forms can be found on our website www.crofting.scotland.gov.uk or by contacting our office.
- You will be required to register the croft with the Keeper of the Registers of Scotland. Please check the Rules and Procedures on our website for further information. Details can also be found on www.ros.gov.uk/services/registration/crofting-register
- In addition, if you are a tenant of a non-croft holding, your application must be accompanied by a certificate from the Scottish Land Court which confirms the holding is one to which:
 - ◇ section 32 of the Small Landholders (Scotland) Act 1911 applies; or
 - ◇ any of the provisions of the Small Landholders (Scotland) Acts 1886 to 1931 applies; and no part of the holding is leased other than as a tenancy.



**Gheibhear tuilleadh
foisrachaidh mu
cruthachadh croit ùr air
ar làrach-lìn**

**www.Coimisean na
Croitearachd**

**You can find more
information on creating a
new croft on our website:**

www.crofting.scotland.gov.uk

What happens next?

- We will check the application form and if it is correct, we'll send you an acknowledgement letter normally within 5 working days.
- We are required to advertise that you have made the application in the local press.
- Anyone who may have an interest in the application has 28 days, from the date we place the advert in the newspaper, to send comments to the Commission.
- After the 28 day period, if we receive comments on your application we will let you know. Normally we need to obtain more information, for example from Scottish Government Rural Payments & Inspections Directorate (SGRPID) before taking a decision.

If the application was made by the owner of the land and we approve the application, the owner will be entered in the Register of Crofts as the landlord of the croft.

If the application was made by the tenant of a non-croft holding and we approve the application, he/she will be entered in the Register of Crofts as the tenant of the croft.

How long will the application process take?

We aim to take a decision on the application within 16 weeks.

What happens after we take a decision on the application?

- If we approve the application we will advertise our decision in the local press and forward the registration application to the Keeper of the Registers of Scotland.
- The owner of the land will be entered in our Register of Crofts as the landlord of the croft.
- If the application was made by the tenant of a non-croft holding, they will be entered in our Register of Crofts as the tenant of the croft.
- Our decision on the application can be appealed to the Scottish Land Court within 42 days from the date of our decision letter.