



**CROFTING COMMISSION
COIMISEAN NA CROITEARACHD**

Great Glen House
Leachkin Road
Inverness IV3 8NW

Taigh a' Ghlinne Mhòir
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Crofter Forestry Guidance Notes

Notaichean stiùiridh Coilltearachd Chroitearan

We have written these notes to help you fill in your application. If the form is not completed correctly, we will have to send it back to you.

WHO CAN APPLY?

Applications must be from either (i) Grazing Clerks or (ii) Grazing Constables.

HOW TO APPLY?

Before sending us your application you must have:

- called a meeting of all shareholders – giving not less than 10 days notice – to notify shareholders of (1) the proposal, including the location and area proposed for use as a woodland; (2) the effect on the current use of the grazings, including the effect on individual soumings and access; (3) to identify shareholders who wish to participate and (4) to hear any comments or objections from shareholders
- obtained written agreement from the owner(s) of the Common Grazings – a Model Form of Agreement is provided for this purpose at Appendix 1

Parts 1 and 2 – Common Grazing, Grazing Clerk and Owner of Common Grazing Details

We must be able to identify the common grazing and it is important that we have accurate contact details for all parties involved in the application.

PART 3 – ELIGIBILITY CRITERIA

Only Committees who have been asked by one or more shareholders in a regulated grazings are eligible to apply to us for approval to use part of the grazing for forestry purposes. If the Common Grazing Regulations are old and do not contain a list of shareholders, you must provide us with a list of shareholders, agreed and signed by the landlord. On receipt of an application, the list of shareholders will be checked against our records. Where there have been a number of changes in occupation since the original Schedule was prepared, we would suggest you check the shareholding position, as known to you. Any discrepancies may result in a delay in reaching a decision.

We cannot consider a Crofter Forestry Application without the owner(s) written consent to the proposal or where this has not been provided directly, the consent deemed given by the Scottish Land Court. A Model Form of Agreement is supplied at Appendix 1 of the application form, along with a standard set of conditions at Appendix 2. The owner's(s') agreement shall specify the part of the common grazing to which it relates, may be given subject to conditions provided those conditions are reasonable, shall not take effect until it is entered in the Register of Crofts and once entered on the Register, shall be binding on successors to the owner's(s') interest.

We will not consider applications unless a meeting to notify all shareholders to the Crofter Forestry proposal is held. You must confirm the date, time and venue of the meeting to us.

PART 4 – APPLICATION DETAIL

You must let us know about the crofter forestry proposals and what benefits this will bring. We also ask for information about existing use of the land to help us take a decision on the merits of the proposal.

PART 5 – SHAREHOLDER DETAIL

Each participating shareholder must provide his/her name and postal details, then sign and date this part of the application to confirm their agreement to the application. In addition, we need to know the names of those who do not wish to participate in the Scheme and if any written objections have been made directly to you.

PART 6 – APPLICATION DOCUMENTATION

All applications must include:

1. The owner's(s') written agreement.
2. Any written comments on the proposal received as a result of consultation with the owner, shareholders or other parties with an interest in the application.
3. A scale plan of the proposal – plan requirements are listed below.

Plan Requirements – A scale plan detailing the boundaries of the common grazing and the boundaries of the area under consideration must be provided with your application. The plan should:

- show the scale, ideally 1:2500 or 1:10000 or similar and preferably an Ordnance Survey or similar plan;
- have a bar scale, because this allows distortion from any subsequent photocopying to be identified;
- show magnetic north;
- have the common grazing boundaries clearly drawn or marked;
- have the boundaries of the crofter forestry site clearly drawn or marked;
- show enough surrounding established detail (for example fences, houses and roads) to enable the common grazing location to be fixed;
- clearly show the site boundaries;
- include the extent requested marked in hectares;
- show any buildings within the site for example by edging, hatching or tinting; and
- show – clearly drawn or marked – any shared access, for example to the rest of the croft.

PART 7 – APPLICANT DECLARATION

The application must be signed by you (the Grazing Clerk) or an agent appointed to act on behalf of the Committee.

WHAT HAPPENS NEXT?

Please send the completed application form to:

Crofting Commission
Great Glen House
Leachkin Road
Inverness
IV3 8NW

When a properly completed application is lodged with us, we will send you (or your agent if applicable) an acknowledgement letter confirming receipt. Our letter will also:

- explain the application process;
- give you a reference number for you to quote if you need to contact us; and
- give you the name of the Officer dealing with your application.

If you would like more information on Crofter Forestry, please contact us at the above address.

PRIVACY NOTICE

The Crofting Commission acts as the ‘Controller’ of the personal data you provide us with when you complete a Regulatory Application. Under the Crofters (Scotland) Act 1993 we are obliged to collect this information in order to facilitate the processing of your application. Please note that the Commission will be unable to process your application if you do not provide the information requested.

Any data provided by you is part of an open process and may be made available to other parties involved (unless told otherwise). These could include:

- The tenant / owner-occupier crofter / landlord of a vacant croft
- The proposed tenant/sub-tenant
- The landlord of the croft
- The owner of the common grazings
- The area assessor
- The grazings committee
- The owner of any adjacent non-croft land
- The occupier of any adjacent non-croft land
- Any member of the local crofting community

- Any other person with a significant interest
- Third Party Organisations – *RPID (Rural Payments & Inspections Directorate) and the Registers of Scotland.*

Your data will be used to update the Register of Crofts and it may also be released under a Freedom of Information enquiry, subject to any disclosure exemptions under Data Protection Laws.

Your information will be stored in the format received and electronically in the Commission's Crofting Information System (CIS). We will not keep your personal data for any longer than is necessary to complete the relevant processing and in line with our Retention Policy.

If at any point you believe the data we process on you is not accurate, you can request to see it and have it corrected or deleted. If you wish to raise a complaint about how we have handled your personal data, you can contact our Data Protection Officer who will investigate the matter. Our Data Protection Officer can be contacted by e-mailing DataProtection@crofting.gov.scot addressing it – *For the Attention of the Data Protection Officer*. Further details on the Crofting Commission's Data Protection Policy can be found at www.crofting.scotland.gov.uk/data-protection-act.

For information on submitting a complaint to the Crofting Commission, please visit our website at www.crofting.scotland.gov.uk/complaints. For details of how to complain to the Information Commissioner, please visit www.ico.org.uk.



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