



**CROFTING COMMISSION  
COIMISEAN NA CROITEARACHD**

# Crofter Forestry Application

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

## Part 1 - Common Grazing and Grazing Clerk Details

### 1a Common Grazing Details (fields marked with an (\*) asterisk must be filled in)

*Grazing Name:		
*Parish:		
Current Extent:		
Number of Shares:		Number of Shareholders:
Souming per Share:		
Total souming for grazing:		

### 1b Grazings Clerk Details (fields marked with an (\*) asterisk must be filled in)

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

## Part 2 - Details for Owner(s) of Common Grazing

### 2a Owner Details (fields marked with an (\*) asterisk must be filled in)

*Name of Organisation/ Company/Estate (if applicable):		
*Title: Mr/Mrs/Miss/Ms/Other		
*Surname:		
*Forename(s):		
*Postal Address:		
		*Postcode:
Daytime Tel No:		
Mobile No:		
E-mail:		

### 2b Agent Details for Owner (if applicable)

Factor/Agent's Name:		
Postal Address:		
		Postcode:
Daytime Tel No:		
Mobile No:		
E-mail:		

*(Please continue on a separate sheet of paper if the grazing has more than one owner)*

### Part 3 - Eligibility Criteria

Please tick ✓ Yes or No to the following:

3 Has the Grazing a set of Regulations for its management? Yes  No

**Important:** the Grazing Regulations must include a Schedule of Shareholders – if not, you must provide a list of shareholders agreed and signed by the landlord(s).

4 Has the owner of the common grazings given written consent to the Crofter Forestry Proposals? Yes  No

5 Did you hold a shareholders' meeting to discuss the proposal? Yes  No

If 'Yes', please give date, time and venue of meeting

Date: \_\_\_\_\_(d/m/y) Time: \_\_\_\_\_

Venue: \_\_\_\_\_

If you answered 'Yes' to any of the above questions, please **go to Section 3**.

If you answered 'No' to any of the above questions, please contact us for guidance on how to proceed.

### Part 4 – Application Detail

• Where asked, please tick ✓ Yes or No as appropriate

6 What is the extent of the area being applied for? \_\_\_\_\_ ha

• Name of Park or Scattald involved (if applicable): \_\_\_\_\_

**Please Note:**

**(i) A scale plan of the area involved showing the boundaries of the grazing and the area involved clearly marked/highlighted must be provided**

**(ii) The extent applied for must not comprise the whole of the common grazing**

7 Please advise if the area is to be regenerated or planted?

Regeneration of the woodland Yes  No

New planting Yes  No

## Part 4 – Application Detail (Cont'd)

8 Briefly give your plans for regeneration/planting: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9 Will the proposal have any impact on:

the working of the grazings

Yes  No

any existing peat banks

Yes  No

any existing access

Yes  No

If 'Yes', please give details: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10 Are any of the following located on the common grazing?

A **National Nature Reserve**

Yes  No

B **Environmentally Sensitive Area**

Yes  No

C **Site of Special Scientific Interest**

Yes  No

D **Special Area of Conservation**

Yes  No

E **Special Protection Area**

Yes  No

If 'Yes':

(i) Please give details about the designation: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(ii) Are the designated areas located within the area under consideration?

Yes  No

**11** Does the grazing participate in any Agri/Environment Scheme(s), for example an Environmentally Sensitive Areas Scheme or a Rural Stewardship Scheme?

Yes  No

If 'Yes':

(i) Please give the name and details of the Scheme(s): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(ii) Is any of the land involved in the Scheme(s) affected by this proposal?

Yes  No

**12** Are all Shareholders participating in the Scheme

Yes  No





## Part 6 – Application Documentation

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

**A** Location plan showing the site of the area to be regenerated/planted in relation to the boundaries of the grazing  (ALL APPLICATIONS)

(For guidance on the plan requirements, please refer to Explanatory Notes).

**B** Model Form of Agreement  (ALL APPLICATIONS)

**C** Written Comments  (AS APPLICABLE)

## 7 Declaration

This application is submitted under section 50 of the Crofters (Scotland) Act 1993 as amended for approval of the Forestry Scheme.

*Signed* \_\_\_\_\_ *Date* \_\_\_\_\_  
*Grazings Clerk/Constable*



**MODEL FORM OF AGREEMENT**

<p><b>COMMON GRAZING:</b></p> <p>_____</p>
<p><b>NAME OF GRAZINGS COMMITTEE:</b></p> <p>_____</p>
<p><b>NAME AND ADDRESS OF GRAZINGS CLERK:</b></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p><b>NAME AND ADDRESS OF OWNER OF COMMON GRAZING:</b></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>

We, on behalf of the crofter sharing in the above Common Grazing, hereby apply to you as landlord for consent in terms of section 50 of the Crofters (Scotland) Act 1993 as amended, to enable said crofters or a number of them (“the participating shareholders”) to plant trees on, or enclose for natural regeneration purposes and use as woodlands, part of the Common Grazings extending to \_\_\_\_\_ hectares or thereby as shown on the plan annexed hereto (“the Woodland Area”).

We have read the Standard Conditions at Appendix 2 of the application form and understand that they will bind the crofters but shall not take effect until any consent to follow hereon has been entered in the Register of Crofts and the approval of the Crofting Commission has been obtained.

**Signed** \_\_\_\_\_ **Date** \_\_\_\_\_  
**Chairman of Grazings Committee**

**Signed** \_\_\_\_\_ **Date** \_\_\_\_\_  
**Clerk to Grazings Committee/  
 Grazings Constable**

I/\*we hereby grant my consent to the foregoing application on the standard terms and conditions/on revised terms and conditions attached.

**Signed** \_\_\_\_\_ **Date** \_\_\_\_\_  
**Owner’s/Owners’ Agent**

### **STANDARD CONDITIONS**

- 1 The landlord shall grant to the participating shareholders (i) the right to cut, take and sell any trees growing within the Woodland Area, whether planted by them or otherwise and (ii) the right to receive any income arising therefrom subject to (a) the Woodland Area, including any part thereof, remaining in the occupancy of the participating shareholders and their statutory successors by assignation, bequest or otherwise and (b) the participating shareholders retaining their interest in the trees or timber crop thereon, including the right to take any income therefrom.
- 2 The Grazing Committee shall, within 3 months of obtaining the approval of the Crofting Commission, provide to the landlord (i) a schedule of the participating shareholders; (ii) the extent of their interests in the woodland; and (iii) the resulting adjustment to their soumings on the remainder of the Common Grazing of which the Woodland Area forms part. A copy of the initial Plan of Operations approved by the Forestry Commission, together with copies of any subsequent Plans, will be provided to the landlord within 3 months of such approval.
- 3 Unless otherwise agreed in writing, the participating shareholders will take vehicular access to the Woodland Area only over the route shown on the said Plan, which route shall be made up by the participating shareholders as necessary.
- 4 The participating shareholders shall, insofar as not already done and before tree planting commences, enclose the Woodland Area as necessary with suitable stockproof or deerproof boundary fences and shall include gates with padlocks as required and provide the landlord with keys for his own use, which fences and gates will be maintained and repaired by the participating shareholders as necessary.
- 5 The participating shareholders shall establish and maintain the Woodland Area in accordance with the approved Plan of Operations. They shall take all reasonable precautions to protect the Woodland Area from damage by fire, grazing animals, pests, diseases or other causes and shall insure the growing trees and fences to their full reinstatement value against damage by fire and shall either use all insurance monies resulting to replant and reinstate the Woodland Area so damaged in accordance with the said Plan of Operations, or agree a mutually acceptable Plan in terms of condition 7 hereof.
- 6 Within the Woodland Area, the participating shareholders shall be permitted to kill game causing damage or likely to cause damage to growing trees, but shall not authorise any person to kill game on their behalf without the written agreement of the landlord. The participating shareholders shall notify the landlord in writing as soon as reasonably possible of any damage by game to growing trees and shall afford to the landlord a reasonable opportunity to inspect the damage and take any action necessary to prevent further damage. The Grazings Committee shall make a written annual return to the landlord not later than 31<sup>st</sup> January each year of all vermin and game killed within the Woodland Area during the previous calendar year.
- 7 In the event that the Woodland Area ceases to be used by the participating shareholders for forestry purposes, the parties shall agree a mutually acceptable plan for the removal of fences and tidying of the Woodland Area and access routes, so as to leave them in a tidy and safe condition.
- 8 All disputes or differences arising between the parties hereto under this Agreement shall be referred to an arbiter mutually appointed or, failing agreement, to an arbiter appointed by the Chairman for the time being of the Crofting Commission.