

ENLARGEMENT

Enlargement of a croft is the term used when non croft land is added to an existing croft and becomes part of that croft tenancy.

- It is important before you apply to check that the extent of the croft, after the non-croft land is added, does not substantially exceed 30 hectares.

Who can apply?

- The owner/landlord of the land, but the application must also be signed by the tenant of the croft which is going to be enlarged.

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 current boundary of the croft and the proposed area of enlargement to the Commission. Application forms can be found on our website www.crofting.scotland.gov.uk or by contacting our office.
- If you have not already done so 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



You can find more information on enlargement of croft land 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.
- If we need any additional information we may have to investigate further but we will let you know if we do.

The Commission will consider if agreeing to the enlargement would benefit the crofter, and the croft.

How long will the application process take?

Providing your croft is registered with the Keeper of the Registers of Scotland we aim to take a decision on the application within 16 weeks. If your croft is not registered we cannot take a decision on your application until this has happened.

What happens after we take a decision on the application?

- If we approve the application we will send the landlord and the tenant a Direction. This is a legal document that confirms the croft has been enlarged with non-croft land. The landlord will be sent the original Direction which should be kept in a safe place. The tenant will be sent a copy of the Direction.
- The tenant must inform us, within 3 months of the date of the Direction that the enlargement has taken effect. We will then contact the Keeper of the Registers of Scotland so they can record the change, and the enlargement will be recorded in our Registers of Crofts.
- Our decision or determination of the application can be appealed to the Scottish Land Court, within 42 days from the date of our decision letter.