

# NOTIFICATIONS AND GROUNDS AND DECISIONS FOR APPLICATIONS DECIDED

Applications between 20/01/20 – 26/01/20

**N.B.** If your area is not shown in the list below, this is due to no notifications being recorded/ applications decided in your area for the specified period.

## **Argyll, Skye & Lochalsh, South and West Inverness**

**Croft:** Lee  
**Reg No:** A0753  
**Parish:** Kilfinichen & Kilvickeon  
**Case Number:** 101305  
**Application Type:** Assignment

### **Decision - Approval**

#### **Grounds for Decision**

Having considered all of the available information, the Commission is satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or will have an adverse effect on the sustainable development of the crofting community and the application has been granted.

**Croft:** 9 Fernielea  
**Parish:** Bracadale  
**Reg No:** I0742  
**Case Number:** 102873  
**Application Type:** Subletting

### **Decision - Approved**

#### **Grounds for Decision**

Having considered all of the available information, the Commission is satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or will have an adverse effect on the sustainable development of the crofting community and the application has been granted.

#### **Conditions**

The sublet will be for a fixed period of 10 years.

**Highland (excl Caithness)**

**Croft:** 301 Hilton, Embo (Share)  
**Parish:** Dornoch  
**Reg No:** S2986  
**Case Number:** 101236  
**Application Type:** Assignment

**Decision – Approved**

**Grounds for Decision**

The Commission has considered this application under section 8 and section 58A of the Crofters (Scotland) Act 1993 (“the 1993 Act”) to assign the tenancy of the croft 301 Hilton, Embo (Share) (S2986), comprising a share in the Embo, Hilton Common Grazings, and has decided to **grant** the application on the following grounds:

Section 58A(7) of the 1993 Act stipulates the factors to which the Crofting Commission is obliged to give regard to when reaching a decision on applications for Commission consent to the assignment of the tenancy of a croft.

- In terms of sub-section 58A(7)(a)(i) of the 1993 Act, the Commission must have regard to whether any person is or will be ordinarily resident on, or within 32 km, of the crofts. The Commission noted that the proposed tenant has recently relocated to the township. It is therefore satisfied that the residency duty will be met by the proposed tenant.
- In terms of sub-section 58A(7)(a)(ii) of the 1993 Act the Commission must have regard to whether the croft will be cultivated or put to some other purposeful use. The Commission notes that the intention of this application is to assign a deemed croft comprising a grazing share, to the owner-occupier of crofts in the township which do not have any associated common grazings share. The Commission notes that the proposed tenant already owns 3 crofts and has indicated on the application form that he intends to use the share for grazing livestock. It is open to shareholders to seek to exercise their right in the grazings in terms of any applicable Regulations and their souming entitlement. The Commission is therefore satisfied with the proposed tenant’s intended use of the grazings share.
- Sub section 58A(7)(b) requires the Commission to consider the interests of the estate which comprises the land to which the application relates. The Commission notes that the landlord, or owner of the land, has not made any comments to the Commission on the application and therefore Commission has no information as to whether the application will have an impact on the interests of the estate either positively or negatively.
- In terms of sub-sections 58(7)(c), (d) and (f) of the 1993 Act, the Commission is required to have regard to the interests of the crofting community and its sustainability, and to any objections received. The Commission noted that no objections to the proposed assignment have been received from any member of the crofting community. The Commission is therefore satisfied that the assignment will have no adverse impact on these interests.
- In terms of sub-section 58(7)(e) of the 1993 Act, the Commission is required to have regard to the interests of the public at large. The Commission has found no evidence to suggest that the interests of the public at large would be affected, either positively or negatively, by the proposed assignment.
- Sub-section 58A(7)(g) of the 1993 Act requires the Commission to have regard to its Policy plan. The relevant paragraph in relation to assignment applications is paragraph 106, which states that “When considering applications to assign, the Commission will apply the standard requirements and its policies on residency, land use and shared management. The application should show that the proposed assignee is both able to and intends to comply with all the statutory duties and in particular that he or she intends to be ordinarily resident on or within 32 kilometres of the croft and to cultivate and maintain the croft or put it to a purposeful use which has section 5C(4) consent.” The Commission is satisfied that approval of this application is not contrary to the Policy Plan regarding assignment applications.

For the above reasons provided the Commission have decided to grant the application.

**Croft:** 220 Tulloch  
**Parish:** Creich  
**Reg No:** S0602  
**Case Number:** 101341  
**Application Type:** Decrofting – Part Croft

<b>Decision - Approved</b>	<b>Extent: 0.05 ha</b>
<b>Grounds for Decision</b>	
Having considered all of the available information, the Commission is satisfied this application is for a reasonable purpose and that the extent of the land applied for is not excessive in relation to that purpose. The Commission has therefore agreed to grant the Direction as requested.	
<b>Conditions of Direction</b>	
The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the date of the Direction.	
That fence shall be maintained in good order and repair by each successive owner or occupier of the land.	

**Croft:** Rheindwon  
**Parish:** Urray  
**Reg No:** R6244  
**Case Number:** 101863  
**Application Type:** Decrofting – Part Croft

<b>Decision - Approved</b>	<b>Extent: 0.184 ha</b>
<b>Grounds for Decision</b>	
Having considered all of the available information, the Commission is satisfied this application is for a reasonable purpose and that the extent of the land applied for is not excessive in relation to that purpose. The Commission has therefore agreed to grant the Direction as requested.	
<b>Conditions of Direction</b>	
The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the date of direction.	
That fence shall be maintained in good order and repair by each successive owner or occupier of the land.	

**Croft:** Rheindwon  
**Parish:** Urray  
**Reg No:** R6244  
**Case Number:** 101864  
**Application Type:** Decrofting – Part Croft

<b>Decision - Approved</b>	<b>Extent: 0.173 ha</b>
<b>Grounds for Decision</b>	
Having considered all of the available information, the Commission is satisfied this application is for a reasonable purpose and that the extent of the land applied for is not excessive in relation to that purpose. The Commission has therefore agreed to grant the Direction as requested.	
<b>Conditions of Direction</b>	
The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the date of direction.	
That fence shall be maintained in good order and repair by each successive owner or occupier of the land.	

**Croft:** 182 Armadale (Share)  
**Reg No:** S3174  
**Parish:** Farr  
**Case Number:** 102582  
**Application Type:** Assignment

<b>Decision - Approval</b>
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<b>Grounds for Decision</b>
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Having considered all of the available information, the Commission is satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or will have an adverse effect on the sustainable development of the crofting community and the application has been granted.
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**Western Isles**

**Croft:** 8 Garrygall  
**Reg No:** I0454  
**Parish:** Barra  
**Case Number:** 102282  
**Application Type:** Assignation

<b>Decision - Approval</b>
<b>Grounds for Decision</b>
Having considered all of the available information, the Commission is satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or will have an adverse effect on the sustainable development of the crofting community and the application has been granted.

**Croft:** 11 Scalpay Island  
**Parish:** Harris  
**Reg No:** I1929  
**Case Number:** 101311  
**Application Type:** Decrofting – Part Croft

<b>Decision - Approved</b>	<b>Extent: 0.0111 ha</b>
<b>Grounds for Decision</b>	
Having considered all of the available information, the Commission is satisfied this application is for a reasonable purpose and that the extent of the land applied for is not excessive in relation to that purpose. The Commission has therefore agreed to grant the Direction as requested.	
<b>Conditions of Direction</b>	
The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the date of the Direction	
That fence shall be maintained in good order and repair by each successive owner or occupier of the land.	

**Croft:** 1 Borve, Berneray  
**Parish:** Harris  
**Reg No:** I1552  
**Case Number:** 102232  
**Application Type:** Subletting

<b>Decision - Approved</b>
<b>Grounds for Decision</b>
Having considered all of the available information, the Commission is satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or will have an adverse effect on the sustainable development of the crofting community and the application has been granted.
<b>Conditions</b>
The sublet will be for a fixed period of 10 years.

**Croft:** **8a Carragreich**  
**Parish:** **Harris**  
**Reg No:** **I5772**  
**Case Number:** **102280**  
**Application Type:** **Subletting**

<b>Decision - Approved</b>
<b>Grounds for Decision</b>
Having considered all of the available information, the Commission is satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or will have an adverse effect on the sustainable development of the crofting community and the application has been granted.
<b>Conditions</b>
The sublet will be for a fixed period of 10 years.

**Croft:** **16 Lemreway**  
**Reg No:** **R3216**  
**Parish:** **Lochs**  
**Case Number:** **101434**  
**Application Type:** **Assignment**

<b>Decision - Approval</b>
<b>Grounds for Decision</b>
Having considered all of the available information, the Commission is satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or will have an adverse effect on the sustainable development of the crofting community and the application has been granted.

**Croft:** **5 Maryhill**  
**Parish:** **Stornoway**  
**Reg No:** **R4175**  
**Case Number:** **102295**  
**Application Type:** **Decrofting – Part Croft**

<b>Decision - Approved</b>	<b>Extent: 0.1406 ha</b>
<b>Grounds for Decision</b>	
Having considered all of the available information, the Commission is satisfied this application is for a reasonable purpose and that the extent of the land applied for is not excessive in relation to that purpose. The Commission has therefore agreed to grant the Direction as requested.	
<b>Conditions of Direction</b>	
The land must as a first change of use, be used, let or disposed of as the site for a dwellinghouse	
The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the development being completed.	
That fence shall be maintained in good order and repair by each successive owner or occupier of the land.	

**Croft:** 262(1) Daliburgh  
**Reg No:** I4957  
**Parish:** South Uist  
**Case Number:** 102917  
**Application Type:** Assignation

<b>Decision - Approval</b>
<b>Grounds for Decision</b>
Having considered all of the available information, the Commission is satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or will have an adverse effect on the sustainable development of the crofting community and the application has been granted.

**Croft:** 10 Uidh  
**Reg No:** I0582  
**Parish:** Barra  
**Case Number:** 101556  
**Application Type:** Assignation

<b>Decision - Approval</b>
<b>Grounds for Decision</b>
Having considered all of the available information, the Commission is satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or will have an adverse effect on the sustainable development of the crofting community and the application has been granted.

**Croft:** 30 Aird of Tong  
**Parish:** Stornoway  
**Reg No:** R4790  
**Case Number:** 94578  
**Application Type:** Decrofting – Croft House Site and Garden Ground

<b>Decision - Approved</b>	<b>Extent: 0.200 ha</b>
<b>Grounds for Decision</b>	
Having considered all of the available information, the Commission is satisfied as required by the Crofters (Scotland) Act 1993 that the site consists only of the dwelling-house on or pertaining to the croft and that the extent of the garden ground is appropriate for the reasonable enjoyment of the dwelling-house as a residence and has agreed to grant the Direction as requested.	
<b>Conditions of Direction</b>	
Enclosure of area:	<p>The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the date of the Direction.</p> <p>That fence shall be maintained in good order and repair by each successive owner or occupier of the land.</p>

**Croft:** **Dusary Mill Croft**  
**Parish:** **North Uist**  
**Reg No:** **I4356**  
**Case Number:** **101995**  
**Application Type:** **Decrofting – Part Croft**

<b>Decision - Approved</b>	<b>Extent: 0.102 ha</b>
<b>Grounds for Decision</b>	
Having considered all of the available information, the Commission is satisfied this application is for a reasonable purpose and that the extent of the land applied for is not excessive in relation to that purpose. The Commission has therefore agreed to grant the Direction as requested.	
<b>Conditions of Direction</b>	
The land must as a first change of use, be used, let or disposed of as the site for a dwellinghouse.	
The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the date of the development being completed.	
That fence shall be maintained in good order and repair by each successive owner or occupier of the land.	

**Croft:** **34 Eoropie**  
**Parish:** **Barvas**  
**Reg No:** **R0701**  
**Case Number:** **102029**  
**Application Type:** **Decrofting – Croft House Site and Garden Ground**

<b>Decision - Approved</b>	<b>Extent: 0.1 ha</b>
<b>Grounds for Decision</b>	
Having considered all of the available information, the Commission is satisfied as required by the Crofters (Scotland) Act 1993 that the site consists only of the dwelling-house on or pertaining to the croft and that the extent of the garden ground is appropriate for the reasonable enjoyment of the dwelling-house as a residence and has agreed to grant the Direction as requested.	
<b>Conditions of Direction</b>	
Enclosure of area:	<p>The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the acquisition of the land by the crofter or nominee.</p> <p>That fence shall be maintained in good order and repair by each successive owner or occupier of the land.</p>

**Croft:** **2 Haun**  
**Reg No:** **I5149**  
**Parish:** **South Uist**  
**Case Number:** **102497**  
**Application Type:** **Assignment**

<b>Decision - Approval</b>
<b>Grounds for Decision</b>
Having considered all of the available information, the Commission is satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or will have an adverse effect on the sustainable development of the crofting community and the application has been granted.



**Croft:** 12 Acarsaid Mhor  
**Reg No:** I4681  
**Parish:** South Uist  
**Case Number:** 102500  
**Application Type:** Assignment

<b>Decision - Approval</b>
<b>Grounds for Decision</b>
Having considered all of the available information, the Commission is satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or will have an adverse effect on the sustainable development of the crofting community and the application has been granted.

**Croft:** 33 Upper Coll  
**Parish:** Stornoway  
**Reg No:** R3892  
**Case Number:** 102507  
**Application Type:** Decrofting – Part Croft

<b>Decision - Approved</b>	<b>Extent: 0.143 ha</b>
<b>Grounds for Decision</b>	
Having considered all of the available information, the Commission is satisfied this application is for a reasonable purpose and that the extent of the land applied for is not excessive in relation to that purpose. The Commission has therefore agreed to grant the Direction as requested.	
<b>Conditions of Direction</b>	
The land must as a first change of use, be used, let or disposed of as the site for a dwellinghouse.	
The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the development being completed.	
That fence shall be maintained in good order and repair by each successive owner or occupier of the land.	

**Croft:** 3a Carrageich  
**Parish:** Harris  
**Reg No:** I1585  
**Case Number:** 98783  
**Application Type:** Subletting

<b>Decision - Approved</b>
<b>Grounds for Decision</b>
Having considered all of the available information, the Commission is satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or will have an adverse effect on the sustainable development of the crofting community and the application has been granted.
<b>Conditions</b>
The sublet will be for a fixed period of 2 years.

**Croft:** 9 Drinishadder  
**Parish:** Harris  
**Reg No:** I1642  
**Case Number:** 99731  
**Application Type:** Decrofting – Part Croft  
**Purpose:** Site of Church Mission Hall

<b>Decision - Approved</b>	<b>Extent: 0.015ha</b>
<b>Grounds for Decision</b>	
Having considered all of the available information, the Commission is satisfied this application is for a reasonable purpose and that the extent of the land applied for is not excessive in relation to that purpose. The Commission has therefore agreed to grant the Direction as requested.	
<b>Conditions of Direction</b>	
The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the date of direction.	
That fence shall be maintained in good order and repair by each successive owner or occupier of the land.	