



**CROFTING COMMISSION
COIMISEAN NA CROITEARACHD**

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Crofter Forestry Application

Coilltearachd Chroitearan

OFFICE USE ONLY CASE No:

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. 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.

Please read the enclosed Guidance 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)

*Surname:

*Title:

*Forename(s):

*Main Residential Address:

*Postcode:

*Telephone:

Alternative Telephone:

E-mail Address:

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):

Surname:

Title:

Forename(s):

*Postal Address:

*Postcode:

*Telephone:

Alternative Telephone:

E-mail Address:

2b Agent Details for Owner (if applicable)

Factor/Agent's Name:

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

(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 Owner(s) of the Common Grazing.

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

5 Please provide details of the shareholders' meeting to discuss the proposal.

Date (d/m/y): _____ Time: _____

Venue: _____

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

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 | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| B | Environmentally Sensitive Area | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| C | Site of Special Scientific Interest | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| D | Special Area of Conservation | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| E | Special Protection Area | <input type="checkbox"/> Yes | <input type="checkbox"/> 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 5 – Shareholder Details

A Each participating shareholder must confirm his/her agreement by completing, signing and dating the form here.

Details of Participating Shareholders			
Name and Postal Address	Croft Name	Signature	Date

B Details of shareholders who do not wish to participate in the Forestry Scheme.

Name and Postal Address	Croft Name

Part 6 – Application Documentation

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

A	Location plan the site of the area to be regenerated/planted in relation to the boundaries of the grazing (For guidance on the plan requirements, please refer to Explanatory Notes).	(ALL APPLICATIONS)	<input type="checkbox"/>
B	Model Form of Agreement	(ALL APPLICATIONS)	<input type="checkbox"/>
C	Written Comments	(AS APPLICABLE)	<input type="checkbox"/>

Part 7 – Declaration

I can confirm that the Grazings Committee gave notice to the shareholders, under section 48(2) of the Crofters (Scotland) Act 1993, of the Proposal and the Proposed Allocation of Expenditure.

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

Signed

Date

Grazings Clerk/Constable

Appendix 1

MODEL FORM OF AGREEMENT

COMMON GRAZING: _____
NAME OF GRAZINGS COMMITTEE: _____
NAME AND ADDRESS OF GRAZINGS CLERK: _____ _____ _____ _____
NAME AND ADDRESS OF OWNER OF COMMON GRAZING: _____ _____ _____ _____

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, 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

Appendix 2

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 31st 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.



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