

Apportionment



CROFTING COMMISSION
COIMISEAN NA CROITEARACHD

Apportionment is the term used when someone who shares in a common grazings wants to take part of the common grazings for their own exclusive use.

Who can apply?

- Anyone who shares in a common grazings.

N.B. The Commission will not generally consent to an apportionment on an unregulated common grazings or where there is no grazings committee in office. See our fact sheet on Common Grazings. In this case, the applicant will need to show support for their apportionment from other crofters with shares in the common grazings, or will need to show good reason for the apportionment to be considered.

If you are intending to use the land for a development that requires planning consent, you must send a copy of the planning consent or planning reference with your application.

Why do I need to apply?

The Crofting Commission is the regulatory body for crofting. Crofts and common grazings 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.

How do I apply?

You must complete the appropriate application form and send it along with a map showing the area you want to apportion and the boundaries of the common grazings to the Crofting Commission.

You must advertise in the local press that you are making the application and you must notify the Grazings Clerk and your landlord in writing. Details on notifying the Clerk and your landlord are provided along with the application form.

If you have not already done so, you will be required to register your croft with the Keeper of the Registers of Scotland. Please check the Rules and Procedures on our website for further information.

What happens next?

- We will check the application form and if it is correct, we'll normally send you an acknowledgement
- Anyone who may have an interest in the application has 28 days, from the date we place the advert in the newspaper, to send comments to the Crofting Commission.
- After the 28 day period, if we receive comments on

your application we will let you know. Normally we need to obtain more information, for example, from Scottish Government Rural Payments and Inspections Directorate, before taking a decision.

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 3 months. We cannot make a decision on an apportionment application if your croft is not registered.

What happens after a decision on the application is made?

If we approve the application, the offer of apportionment will be subject to conditions such as:

- The area is fenced within 2 years
- The apportionment may be approved for a specific period of time
- The apportionment may be subject to review by the Crofting Commission at fixed periods of time

If any of the above conditions are not met, the crofting commission may withdraw the offer of apportionment.

If the apportionment is granted for a specific period of time, at the end of that period the land will revert back to common grazings unless you request an extension which is approved by the Crofting Commission

Our decision or determination of the application can be appealed to the Scottish Land Court, within 42 days from the date of the decision letter.

More Information

More information is available on the Crofting Commission website.

You can call us on
01463 663439
or email on

info@crofting.gov.scot

