



**CROFTING COMMISSION
COIMISEAN NA CROITEARACHD**

Great Glen House
Leachkin Road
Inverness IV3 8NW

Taigh a' Ghlinne Mhòir
Rathad an Leacainn
Inbhir Nis IV3 8NW

T: (01463) 663439
E: info@crofting.gov.scot
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**NOTIFICATION OF
SUSPECTED FAILURE BY THE
"OWNER" OF A VACANT CROFT
TO CULTIVATE AND/OR BE
RESIDENT**

SECTION 1 - IMPORTANT INFORMATION

The Crofting Commission will investigate cases where an "Owner" of a vacant croft is reported as not being ordinarily resident on, or within 32 kilometers of, their croft and / or not cultivating their croft when notified by:

- A Grazings Committee/Constable
- A member of the crofting community within the township in which the croft which is the subject of the suspected breach is situated. *

* A member of the crofting community is a person who occupies a croft in the same township as the croft to which the notification relates, or holds shares in a common grazings associated with that township.

Please Note:

- The form may not be processed if it is incomplete.
- A copy of the notification form will be sent to the "Owner" of the vacant croft who is the subject of the report.
- This is part of an open process. Please see privacy policy on page 2 for further information.

SECTION 2 PRIVACY POLICY

The Crofting Commission acts as the 'Controller' of the personal data you provide us with when you complete a Residency and Land Use Team form. Under the Crofters (Scotland) Act 1993 we are obliged to collect this information in order to facilitate the processing of your Residency and Land Use form. Please note that the Commission will be unable to process your form 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
- The landlord/Owner of a vacant croft
- The proposed tenant/subtenant
- The landlord of the croft
- The owner of the common grazings
- 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 may 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 tick this box to confirm you have read and understood the Crofting Commission's Privacy Policy

SECTION 3 – YOUR DETAILS

Surname:	Title:
Forename(s):	
Postal Address:	
Postcode:	
Telephone:	
Alternative Telephone:	
E-mail Address:	
I agree to communication regarding this notification by e-mail	
Yes <input type="checkbox"/>	No <input type="checkbox"/>

Please tick the box that describes you:

(a) I am the Grazings Clerk/Chair of a Grazings Committee

Name of Grazing Committee: _____
(Please provide confirmation that the Committee have been consulted, such as a formal minute of the meeting at which the matter was discussed/agreed)

(b) I am the Grazings Constable

Name of common grazing: _____

(c) I am a member of the crofting community

Please provide details of your croft/share

SECTION 4 – DETAILS OF THE CROFT TO WHICH YOUR NOTIFICATION REFERS

Croft Name: _____

Parish: _____

Register No (if known): _____

Name of "Owner" of the Vacant Croft: _____

Please provide details of the notification of suspected non cultivation and/or non-residence, including a plan of the croft showing the part of the croft being reported. Please also ensure that the location of the croft can be identified from the plan provided.

Please provide as much information as possible. Whilst we encourage the submission of photographs, please be aware that under Data Protection legislation we cannot accept photographs where a person(s) can be identified from it. This means details of an individual that can be identified from the data directly, or indirectly identified in combination with other information. This includes images of individuals, children, groups etc, car registration numbers, house numbers/ names and location data.

- Cultivate – An "Owner" of a vacant croft is expected to cultivate their croft or put it to some other purposeful use. 'Cultivate' includes "the use of a croft for horticulture or for any purpose of husbandry, including keeping or breeding of livestock, poultry or bees, the growing of fruit, vegetables and the like and the planting of trees and use of the land as woodlands". 'Purposeful use' means any planned and managed use which does not adversely affect the croft; the public interest; or the use of adjacent land.

Residency – An “Owner” of a vacant croft is expected to be ordinarily resident on, or near their croft (please note the equivalent requirement for an owner-occupier crofter and tenant crofter is to be ordinarily resident on or within 32 kilometers of their croft).

SECTION 5 - DECLARATION AND DISCLAIMER

Notifier, please complete and sign this declaration

DECLARATION

I declare that:

- To the best of my knowledge, the information I have given in this notification is correct
- I have read and understood the Commission's Privacy Policy.
- I agree to communication via email regarding this notification.

Please include a plan of the croft showing the part of the croft being reported, ensuring that the location of the croft can be identified from the plan provided.

DISCLAIMER

All parties involved in any application/notification to the Commission should satisfy themselves as to the identities of the relevant parties involved in an application/notification as the Commission does not have the facility to carry out identity checks to verify a person's identity.

Any person who (i) knowingly provides false or incorrect information including any documentation or other information supplied with this application/notification, and/or (ii) who forges a signature (electronic or physical), may be guilty of a criminal offence. The Commission takes no responsibility for any such fraudulent acts or omissions. However, the Commission may investigate suspected fraud, and any declarations, signatures or statements made in connection with the application/notification which the Commission suspects to be fraudulent will be reported to Police Scotland.

By signing this declaration, I acknowledge that I have read, understood, and agree to be bound by these terms and conditions.

Signed

Date



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