



**CROFTING COMMISSION
COIMISEAN NA CROITEARACHD**

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Leachkin Road
Inverness IV3 8NW

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Application for New Use of a Regulated Common Grazing (Section 50B)

Tagradh Earrann 50B

There may be a requirement to register your croft land,
please read Section 1 in the guidance notes:

Requirement to Register your Croft Land

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.

The Section 50B process is detailed within the Crofters (Scotland) Act 1993 and applicants are required to follow the process as stipulated to ensure the application's validity and that this element must be demonstrated through supporting documentation.

Applicants should be particularly aware of subsection 2 which states:

50(B)(2) The use proposed must not be such as would be detrimental to –

- (a) the use being made, as at the time of application, of the other parts of the common grazing; or
- (b) the interests of the owner.

Part 1 – Common Grazing and Grazing Clerk/Constable Details

1a Common Grazing Details (fields marked with an (*) asterisk must be filled in)

*Grazing Name:

*Parish:

Main Location Code (if known):

Grazing Reference Number
(if known):

CG/

Grazing Id (for Official Use only)

1b Grazing Clerk/Constable Details (fields marked with an (*) asterisk must be filled in)

*Surname of Clerk/Constable:

*Title:

*Forename(s):

*Postal Address:

*Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

Part 2 – Details for Owner of Common Grazing

2a Owner Details (fields marked with an (*) asterisk must be filled in)

*Name of Organisation/Company (if applicable):	
*Surname:	Title:
*Forename(s):	
*Postal Address:	
Postcode:	
Telephone:	
Alternative Telephone:	
E-mail Address:	

2b Agent Details for Owner (if applicable)

Factor/Agents Name:	
Postal Address:	
Postcode:	
Telephone:	
Alternative Telephone:	
E-mail Address:	

Part 3 – Details of Voting

3a Number of shareholders present: _____

3b Number of shareholders present who abstained from voting: _____

3c Votes in Favour:
by those in attendance: _____ by proxy/post*: _____

3d Votes Against:
by those in attendance: _____ by proxy/post*: _____

***Please Note: Postal votes should have been received before the start of the meeting.**

Part 4 – Eligibility Criteria

Please tick ‘Yes’ or ‘No’ to the following:

- 4a** Has each shareholder been sent a notice detailing: Yes No
- (i) the proposal, and
 - (ii) the time, place and purpose of the meeting?
- 4b** Has the owner of the common grazing(s) been sent a notice: Yes No
- (i) detailing the proposal,
 - (ii) advising the time, place and purpose of the meeting,
 - (iii) inviting his/her views, and
 - (iv) affording him/her an opportunity to discuss it with a member of the Committee, at such reasonable time before the meeting as is convenient to him/her?
- 4c** Has the time, place and purpose of the meeting been advertised in abnewspaper circulating in the local area? Yes No
- 4d** Were any written comments received or comments disclosed to the Committee at any discussion with the owner made known to shareholders at the meeting? Yes No
- 4e** Was the result of the vote disclosed to shareholders at the meeting? Yes No
- 4f** Has the owner of the common grazing been made aware of the outcome of the meeting? Yes No

If you answered ‘No’ to 4a-4f, you have not followed the correct procedure as described in section 50B of the Crofters (Scotland) Act 1993. Your application cannot be considered until you have undertaken all necessary steps and are able to answer ‘Yes’ to all these questions.

Part 5 – Application Details (to be completed by Clerk/Constable)

5 Please confirm the date of the shareholder meeting held to discuss the new use for the grazing: (day, month and year)

6 Please give details of proposed new use(s)?

7 Will the proposal require planning consent? Yes No

If **'Yes'** please answer the following (tick as appropriate):

- (i) Planning consent has been obtained and a copy is enclosed
- (ii) The required planning consent has not been obtained

Please give details of any planning application being made or any discussions you may have had with the Planning Department about the development so far:

8 Please give details about land involved in the proposed new use:

- Extent of land involved in new of use: _____ ha
- Name of park or scattald involved (if applicable): _____

Please Note: A scale plan of the area involved showing the boundaries of the grazing and the area involved clearly marked/highlighted must be provided.

Part 5 – Application Details (Cont'd)

9 How is the grazing currently used?

10 Please provide details of any anticipated benefits the new use will bring to:

(1) the grazing; (2) the public interest; or (3) the local crofting community; for example community facilities, recreational benefits, additional revenue for the area, new business opportunities, retention of local services, communal working:

11 Please provide details of any planned community workings as a result of the new use:

Part 5 – Application Details (Cont'd)

12 Are any of the following located on the common grazing? (Tick Yes or No as appropriate)

Description	Responsible Body	Yes/No	
National Nature Reserve (NNR)	Local Authority	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Special Area of Conservation (SAC)	SNH	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Special Site of Scientific Interest (SSSI)	SNH	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Special Protected Area (SPA)	SNH	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Listed Buildings Scotland (LBS)	Historic Scotland	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Scheduled Ancient Monuments (SAMS)	Historic Scotland	<input type="checkbox"/> Yes	<input type="checkbox"/> No
National Scenic Area (NSA)	SNH	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Cairngorm National Park (CNP)	Cairngorm National Park Authority	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Forestry schemes (SFGS/WGS)	Forestry Authority	<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

13 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) Will any of the land involved in the Scheme(s) be affected by this proposal? Yes No

Part 6 – Other Information

14 Please give the name or names and postal addresses of the shareholder(s) proposing the new use for the common grazing:

(Continue on separate sheet of paper if necessary)

Part 7 – Application Documentation

15 You must include the following:

- The page from the local newspaper displaying the meeting notice
- A scale plan of the grazing showing the boundaries and clearly highlighting/marketing the area involved



16 If you have any other information which you think will help us in considering this application, please give details below and provide any supporting evidence where appropriate.

(Continue on separate sheet of paper if necessary)

Part 8 – Applicant Declaration

The application is submitted under section 50B and 58A of the Crofters (Scotland) Act 1993 for a new use of a common grazing. I hereby certify that to the best of my knowledge and belief, the particulars given on this form are correct and complete.

Signed

Date

*Grazing Clerk/*Grazing Constable/*Owner of Common Grazing
*(delete as appropriate)

APPENDIX 1

SAMPLE NEWSPAPER ADVERT PROPOSED NEW USE FOR PART OF A COMMON GRAZING UNDER SECTION 50B OF THE CROFTERS (SCOTLAND) ACT 1993

A shareholders' meeting will be held by the Grazings Committee of the _____ Common Grazing into the proposal to use part of the above-named Common Grazing extending to _____ ha for _____.

The meeting will take place in the _____ (venue) on _____ (day and date) at _____ (time).

If you wish to submit written objections before the meeting, you should write to

_____ (name and postal address of Clerk), Clerk to the Grazings Committee by _____ (insert date day before meeting here), specifying your interest in the common grazing and your reasons for objecting.

Any written objections submitted will be made known to shareholders attending the meeting.

APPENDIX 2

SAMPLE NEWSPAPER ADVERT PROPOSED NEW USE FOR PART OF A COMMON GRAZING UNDER SECTION 50B & 58A OF THE CROFTERS (SCOTLAND) ACT 1993

(Your name) _____ is applying to use part of
the common grazing _____ (giving name and Parish) for
the purpose of _____.

Written comments from those with a relevant interest (which may be made public) to Crofting
Commission, Great Glen House, Leachkin Road IV3 8NW (e-mail: info@crofting.gov.scot by
_____ dd/mm/yy*.

**within 28 days from the date of publication of the advert*

APPENDIX 3

To the Crofting Commission –

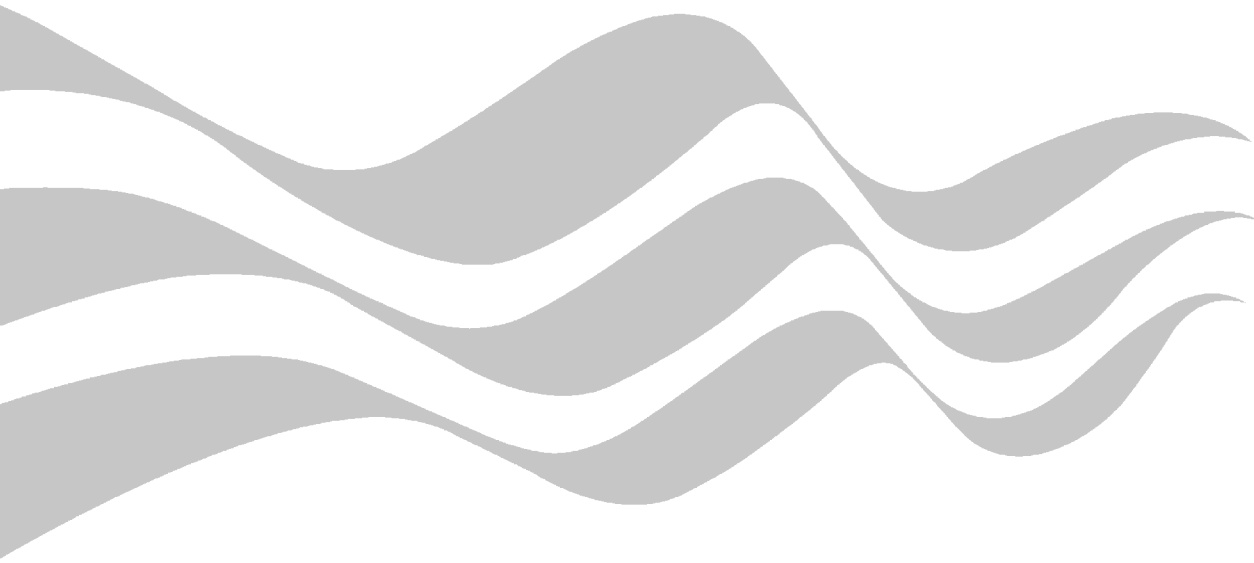
Confirmation of Receipt of Notification by Landlord/Owner of the common grazing

Common Grazing Name: _____

I confirm that I have seen the application form for the New Use of a Regulated Common Grazing under Section 50B & 58A of the Crofters (Scotland) Act 1993 and that I will submit any comments within 28 days from the date of the newspaper advert.

Signed _____ **Date** _____

Landlord



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