



**CROFTING COMMISSION
COIMISEAN NA CROITEARACHD**

Great Glen House
Leachkin Road
Inverness IV3 8NW

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

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Application for Commission Consent to Assign a Croft Tenancy

Tagradh airson Cead a' Choimisein gu Gabhail Croite a Shònrachadh

There is 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.

CROFT AND CURRENT CROFTER DETAILS

ALL FIELDS MUST BE COMPLETED

1 Croft Details

Croft:

Parish:

Crofting Commission Register Number

Registers of Scotland
Register Number (where registered):

Main Location
Code: (MLC)

2 Crofter Details

Surname:

Title:

Forename(s):

Date of Birth¹ :

Main Residential Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

I agree to communication regarding this application by e-mail

Yes

No

¹ The Act was amended on 1 October 2011 to include the requirement that the age and date of birth of the tenant of each croft shall be entered in the Register.

3 Agent Details for Crofter (only if applicable)

Name:

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

I agree to communication regarding this application by e-mail

Yes

No

4 Landlord Details (additional landlord/owner of common grazings details can be entered on Appendix 1)

Name of Organisation/Company/Estate:

Surname:

Title:

Forename(s):

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

5 Agent Details for Landlord (only if applicable) – additional agent details can be entered on Appendix 1

Name:

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

RESIDENCY AND LAND USE

Please read Section 3 – **Residency and Land Use** of the guidance before responding to the following

- 6** Do you currently reside on or within 32 kilometres (20 miles) of the croft? Yes No
Will the proposed assignee be ordinarily resident on or within 32 kilometres (20 miles) of the croft, should the Commission approve the application? Yes No

The Commission require to know how the croft is currently being used.

- 7(i)** Is the croft currently being used for cropping activities? Yes No

If **'Yes'**, please provide details below:

- 7(ii)** Is the croft currently being used for stock management purposes? Yes No

If **'Yes'**, please provide details below:

FIXED EQUIPMENT AND PERMANENT IMPROVEMENTS

Please read Section 3.2 – **Fixed Equipment and Permanent Improvements** of the guidance before responding to the following

7(iii) Are there any buildings on the croft? Yes No

If **'Yes'**, please provide details below (include information about the size, condition, approximate age and current use) e.g. general purpose shed, dwellinghouse:

7(iv) Please provide details of any fixed equipment on the croft e.g. fences and ditches (include information about the condition and approximate age):

WIDER INTERESTS

Please read Section 4 – **Wider Interests** of the guidance before responding to the following

ESTATE

9(i) What effect, if any, do you consider this assignation will have on the interests of the estate?

CROFTING COMMUNITY

9(ii) What effect, if any, do you consider this assignation will have on the interests of the crofting community?

SUSTAINABLE DEVELOPMENT

Please read Section 4.1 – **Sustainable Development** section of the guidance before responding to the following

9(iii) What effect, if any, do you consider this assignation of the tenancy will have on the sustainable development of the local crofting community?

PUBLIC AT LARGE

Please read Section 4.2 – **Public Interests** section of the guidance before responding to the following

9(iv) What effect if any, do you consider this assignation will have on the interests of the public at large?

10 Please provide any additional information in support of your application that you consider may be helpful to the Commission in reaching its decision (for example, you may wish to tell us why you are applying to assign your croft):

PUBLIC NOTIFICATION

Please read Section 2.2 – **Public Notification** of the guidance before responding to the following

11 Please give details of the public notification arrangements you have made below:

(i) Name of newspaper displaying the advert: _____

(ii) The date advert will be displayed in newspaper: _____

A standard advert for your use is included in the guidance notes.

CROFTER/AGENT PLEASE SIGN THIS DECLARATION

12 I confirm that I have carried out the following in connection with this application:

- I have given the croft landlord(s)/owner of common grazings written notification of this assignation application and enclose evidence (see guidance section Landlord Notification and Appendix 2 and 2A)
- I have advertised this application for consent to assign the tenancy in a newspaper circulating in the local area.
- The proposed new crofter has completed question 16 of the application, advising whether he/she is or will be ordinarily resident.
- Questions 14 to 25 have been completed and the declaration has been signed by the proposed new crofter or their agent.
- I have included my application to register the croft (if applicable).
- Where the croft is sublet, I have given the subtenant 6 months notice of my intention to assign the tenancy.

13 DECLARATION

This application is submitted under section 8 of the Crofters (Scotland) Act 1993 for consent to assign the tenancy.

I declare that, to the best of my knowledge, the information I have given in this application is correct.

Signed

Date

Crofter/Agent

PROPOSED NEW CROFTER DETAILS

Please read Section 5 – **Proposed New Crofter Details** of the guidance before responding to the following

ALL FIELDS MUST BE COMPLETED

14. Proposed New Crofter Details

Surname:	Title:
Forename(s):	
Date of Birth ¹ :	
Main Residential Address:	
	Postcode:
Telephone:	
Alternative Telephone:	
E-mail Address:	
I agree to communication regarding this application by e-mail Yes <input type="checkbox"/> No <input type="checkbox"/>	

15. Agent/Guardian Details for Proposed New Crofter (only if applicable)

Name:	
Postal Address:	
	Postcode:
Telephone:	
Alternative Telephone:	
E-mail Address:	
I agree to communication regarding this application by e-mail Yes <input type="checkbox"/> No <input type="checkbox"/>	

¹ The Act was amended on 1 October 2011 to include the requirement that the age and date of birth of the tenant of each croft shall be entered in the Register.

RESIDENCY AND LAND USE

Please read Section 3 – **Residency and Land Use** of the guidance before responding to the following

16. Do you currently reside on or within 32 kilometres (20 miles) of the croft? Yes No

If **'Yes'**, go to question 17

If **'No'**:

(i) What is your timescale for taking up residence? Please provide reasons for this timescale.

(ii) Is there a habitable house on or in the locality of the croft in which you intend to reside? Yes No

If **'Yes'**, please provide details:

(iii) Do you intend to build a new dwellinghouse for yourself on the croft? Yes No

If **'Yes'**:

Has planning permission been obtained or are you in the process of applying for planning permission?

Planning obtained Applied for No

Planning Reference Number: _____

(iv) Will any other person reside on the croft prior to you taking up residence? Yes No

If **'Yes'**, please provide details:

v) How do you propose the croft will be cultivated and maintained until you take up residence?

17. As a resident crofter, or once resident, how do you intend to cultivate the croft?
Please provide details.

Crops (please specify)	Hectares
Livestock (e.g. sheep, cows, pigs, poultry)	Proposed number and timescale

Other proposed cultivation (e.g. horticulture, apiary)

18. As a resident crofter, or once resident, how do you intend to maintain the croft?
e.g. ensuring all fences are stockproof and land is properly drained. Please provide details.

Please read Section 3.1 – **What are Crofter’s Duties** of the guidance before responding to the following

19 Do you intend to put the croft or any part of it to a purposeful use other than cultivation?
e.g. Tourist Development, Livery or Renewable Energy Project
(see What are a Crofter’s Duties in the Guidance) Yes No

If **‘Yes’**:

(i) Please provide details including how the project will be funded (it may be helpful to include a copy of your Business Plan if this is available):

(ii) Has the landlord consented to the croft being put to this purposeful use? Yes No

20 Does the croft have an associated common grazing share? Yes No

If **‘Yes’**: please provide details of how you intend to use the share:

PROPOSED NEW CROFTER/AGENT PLEASE SIGN THIS DECLARATION

25 DECLARATION

I declare that:

- To the best of my knowledge, the information I have given in this application is correct.
- I am aware of the duties which a crofter is required to comply with relating to residency and land use as stated in 'What are Crofter's Duties' section in the guidance.

Signed

Date

Proposed New Crofter/Agent

What Happens Next?

- When we receive this application, we will send the applicant or their agent an acknowledgement letter.
- Providing the croft is registered with the Keeper of the Registers of Scotland, at the end of the 28 day consultation period we must decide whether or not to grant the application or to investigate further. If we decide to investigate further we will notify all interested parties. We aim to take a decision within 12-16 weeks.
- Our decision can be appealed to the Scottish Land Court within 42 days from the date we notify interested parties of our decision.

APPENDIX 1

Additional Landlord/Owner of Common Grazings Details

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

Additional Agent Details for Landlord (only if applicable)

Name:	
Postal Address:	
	Postcode:
Telephone:	
E-mail Address:	

Additional Landlord/Owner of Common Grazings Details

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

Additional Agent Details for Landlord (only if applicable)

Name:	
Postal Address:	
	Postcode:
Telephone:	
E-mail Address:	

APPENDIX 2

Notice for Landlord/Owner of Common Grazings

Proposed Assignment of a Croft

I _____ (PLEASE PRINT YOUR NAME)

am applying to the Crofting Commission for consent to assign the tenancy of the croft at

to _____ (proposed new crofter name)

of _____ (address).

If you have any comments, you may submit these in writing to the Crofting Commission, Great Glen House, Leachkin Road, Inverness IV3 8NW or email **info@crofting.gov.scot** by

(insert date here giving 28 days from date of publication of newspaper advert).

Please note that any comments received by the Crofting Commission are part of an open process and will be made available to myself and any interested parties. Your comments would also be released under a Freedom of Information enquiry.

Signed

Date

Crofter/Agent

APPENDIX 2A

TO THE CROFTING COMMISSION – CONFIRMATION OF RECEIPT OF NOTIFICATION BY LANDLORD/ OWNER OF COMMON GRAZINGS

I confirm that I have seen the application form for the assignment of the tenancy of the croft

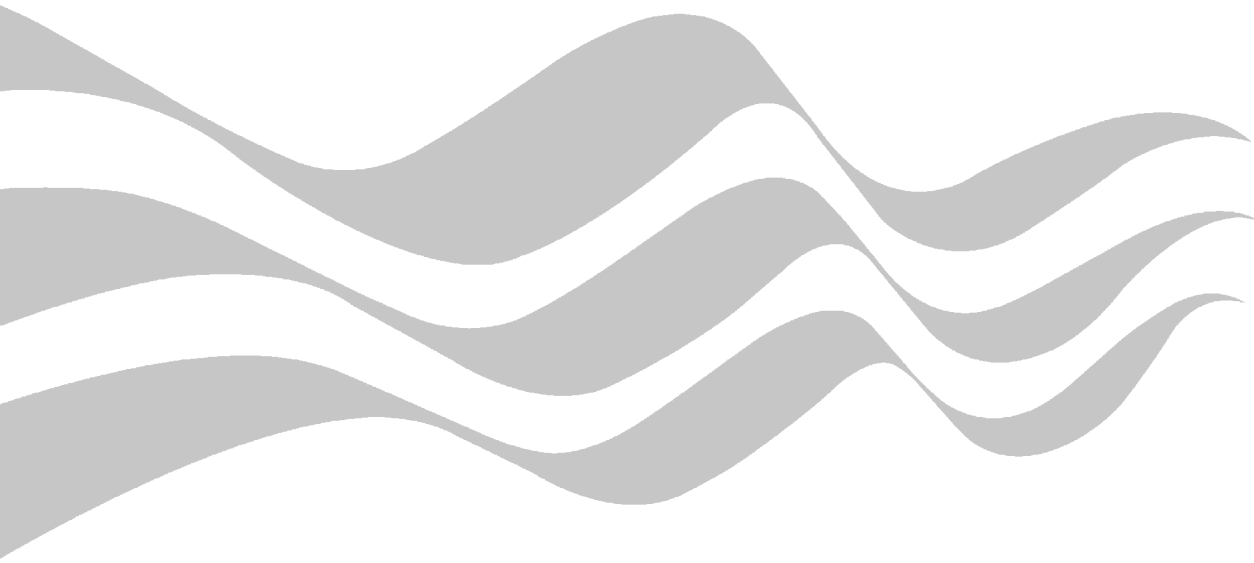
at _____

and that I will submit any comments within 28 days from the date of the newspaper advert.

Signed

Date

Landlord



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