



Family Assignation Application – Croft Tenancy

Great Glen House, Leachkin Road
Inverness IV3 8NW
Telephone: (01463) 663439 Fax: 725067
e-mail: info@crofterscommission.org.uk
www.crofterscommission.org.uk

To avoid delays, please ensure you answer all relevant questions and provide all documents requested to the address above. Failure to do so may mean we have to return your application.

Please note that any information you provide is part of an open process and made available to other parties involved in the process. Your information would also be released under a Freedom of Information enquiry subject to any disclosure exemptions under the Data Protection Act 1998.

IMPORTANT INFORMATION

This application form is for the assignation of the whole of your tenancy – if you wish to retain part of your croft, for example a house or house site that has not been decrofted and purchased, you should apply to divide the tenancy first.

If an advance of purchase decrofting Direction has been granted in respect of the croft house site and garden ground or part of the croft, this area will be included in the assignation of the croft tenancy unless it has been purchased from the landlord.

If a sublet of your tenancy commenced on or after June 2007, you should give your subtenant 6 months' written notice of your intention to assign the tenancy before submitting this application. (Refer to the Missive of Sublet).

The tenancy of a croft cannot be assigned to more than one person.

CROFT AND CONTACT DETAILS

1 Croft Details

Croft Name:			
Parish:			
Register Number:		Agricultural Code Number:	

2 Tenant Details

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

3 Agent Details for Tenant (only if applicable)

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

4 Landlord Details (more landlord details can be entered on Appendix 1)

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

5 Agent Details for Landlord (only if applicable)

Name:	
Postal Address:	
	Post Code:
Telephone:	
Alternative Telephone:	
E-mail Address:	

APPLICATION DETAILS

IMPORTANT INFORMATION

If the proposed assignee is not listed below, you must complete a Non-Family Assignment Application.

- 6 A list of persons who qualify as a member of your family for assignment purposes is listed below. Please tick the appropriate box to let us know whether the proposed assignee is your:

Husband or Wife Civil Partner Co-habitant

You and your partner will be considered to be co-habitants if you are not married/civil partners but have been living together as if married/civil partners in a house on/pertaining to the croft for at least 2 years.

- Sibling (brother or sister)
 Sibling's spouse or civil partner
 Spouse's or civil partner's sibling
 Father
 Mother
 Son
 Daughter
 Son's spouse or civil partner
 Daughter's spouse or civil partner
 Grandchild
 Grandchild's spouse or civil partner
 Aunt
 Uncle
 Nephew
 Niece

- 7 Is there any other information you would like to tell us in support of your application? For example, you may wish to tell us why you are applying to assign your croft?

EXISTING GRANTS DETAILS

- 8 Has the current tenant received assistance from the Croft House Grant Scheme (CHGS) or Crofters Etc Buildings Grants & Loans Scheme (CBGLS) for an existing building or a new development on the croft? Yes No

If 'Yes', please provide the following:

Client Reference Number: _____ Debtor ID: _____

PUBLIC NOTIFICATION

- 9 You must advertise your application to assign the tenancy in a newspaper. Please refer to our guidelines on advertising applications. Failure to follow the guidelines may result in you having to re-advertise your application in an accepted newspaper, at your own expense. Please give details of the arrangements you have made below.

Note: *It is important that this application is sent to us before the advert appears in a newspaper.*

(i) Name of newspaper displaying the advert: _____

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

A standard advert for your use is attached to this application at Appendix 2.

TENANT/AGENT PLEASE SIGN THIS DECLARATION

IMPORTANT INFORMATION

If we approve this application, the assignation will take effect not less than two months after we notify you of our decision.

10 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;**
- **I have given the croft landlord(s) written notification of this assignation application (see Appendix 3 for example letter);**
- **I will arrange to have questions 11 to 18 completed and signed by the proposed assignee or their agent;**
- **I will advertise this application for consent to assign the tenancy in a newspaper circulating in the local area.**

Signed _____

Tenant/Agent

Date _____

PROPOSED ASSIGNEE DETAILS

IMPORTANT INFORMATION

A croft tenancy cannot be assigned to more than one person.

We would encourage you to contact the local Grazings Clerk/Constable to make them aware of your proposals, as experience has shown this can help establish good community relationships.

11 Proposed Assignee Details

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

12 Agent/Guardian Details for Proposed Assignee (only if applicable)

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

13 Do you live:

- on the croft? Yes No
- within 16 kilometres (10 miles) of the croft? Yes No
- within 32 kilometres (20 miles) of the croft? Yes No

If you don't live within 32 kilometres of the croft, give details of:

- the timescale of when you intend to do so?

- how the croft will be worked?

14 Are you currently the owner or tenant/subtenant of any other croft land? Yes No

(i) If 'Yes', please give details below:

Agricultural Code No	Croft Name	Any common grazings rights? (Yes/No)	Area In Hectares	Status eg owner, tenant/subtenant

(ii) How do you use this other croft land?

15 How do you propose to use your new croft land?

IMPORTANT INFORMATION

If your plans include changing the use of uncultivated and/or semi natural areas for agricultural production, you should first clarify if the Environmental Impact Assessment Regulations (EIA) will affect your plans by contacting your local Rural Payments and Inspections Directorate Area Office.

16 What experience and/or skills do you have to implement your plans for working the land, including non agricultural experience and skills? (You should include any relevant qualifications):

17 Please provide details of any community activities you already take part in or intend to take part in eg livestock gatherings or community projects:

PROPOSED ASSIGNEE/AGENT PLEASE SIGN THIS DECLARATION

IMPORTANT INFORMATION

If we approve this application, the assignation will take effect not less than two months after we notify you of our decision

18 Declaration

I declare that:

- To the best of my knowledge, the information I have given in this application is correct.

Signed _____ *Date* _____
Proposed Assignee/Agent

What Happens Next?

- When we receive this application, we will send the applicant or their agent an acknowledgement letter within 5 working days.
- At the end of the 28 day consultation period, we must decide within a further 21 days whether or not to intervene in the application.
- If we decide not to intervene we will notify the applicant or their agent, the landlord or their agent and any other interested parties that the application has been approved.
- If we decide to intervene we will notify the applicant or their agent, the landlord or their agent and any other interested parties of the reason for intervention. In these circumstances it may take a further 12 to 16 weeks before a decision is made.
- If we decide to intervene in the application, our decision can be appealed to the Scottish Land Court within 42 days from the date we notify interested parties of our decision.

Additional Landlord Details

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

Additional Agent Details for Landlord (only if applicable)

Name:		
Postal Address:		
		Post Code:
Telephone:		
E-mail Address:		

Additional Landlord Details

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

Additional Agent Details for Landlord (only if applicable)

Name:		
Postal Address:		
		Post Code:
Telephone:		
E-mail Address:		

Sample Newspaper Advert

Please refer to our guidelines on advertising applications. Failure to follow the guidelines may result in you having to re-advertise your application in an accepted newspaper, at your own expense.

Proposed Assignment of a Croft

_____ (your name)
is applying to the Crofters Commission for consent to assign the tenancy of the croft at

to _____ (proposed assignee name)
of _____ (address).

If you are a crofter, shareholder or owner of a croft in the township, or if the Commission consider that you have a direct interest in this application, you may submit comments on the proposal in writing or some other permanent form to the Crofters Commission, Great Glen House, Leachkin Road, Inverness IV3 8NW (e-mail info@crofterscommission.org.uk) within 28 days from the date of publication of the advert.

Please note that any comments you provide are part of an open process and will be made available to interested parties. Your comments would also be released under a Freedom of Information enquiry. Frivolous, vexatious or unreasonable comments cannot be accepted.

Notice for Landlord

Proposed Family Assignment of a Croft

I am applying to the Crofters Commission for consent to assign the tenancy of my croft at _____ to _____ (proposed assignee name) of _____ (address).

If you have any comments on the proposal, you may submit these in writing or some other permanent form to the Crofters Commission, Great Glen House, Leachkin Road, Inverness IV3 8NW (e-mail: info@crofterscommission.org.uk) by _____ (*insert date here giving 28 days from date of publication of newspaper advert*).

Please note that any comments received by the Crofters 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. Frivolous, vexatious or unreasonable comments cannot be accepted.

Signed _____ Date _____
(Tenant/Agent)

PLEASE PRINT NAME: _____