

Non-Family Assignment Application – Grazings Share(s)



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

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).

CROFT AND CONTACT DETAILS

1 Croft Details

Croft to which grazings share(s) pertain:			
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 Owner of Common Grazings Details

(More Owner of Common Grazing details can be entered on Appendix 1)

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

5 Agent Details for Owner of common grazings (only if applicable)

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

6 Please give details of the grazings share(s) below:

Name of Common Grazing	Grazing Share/Souming

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 grazings share(s).

PUBLIC NOTIFICATION

- 8 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 assignment will take effect not less than two months after we notify you of our decision.

9 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 owner(s) of the common grazing written notification of this assignment application (see Appendix 3 for example letter);
- I will arrange to have questions 9 to 19 completed and signed by the proposed assignee or their agent;
- I will advertise this application for consent to assign the grazings share(s) in a newspaper circulating in the local area.

Signed _____
Tenant/Agent

Date _____

PROPOSED ASSIGNEE DETAILS

IMPORTANT INFORMATION

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.

10 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"/>

11 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"/>

12 Do you currently live within 16 kilometres (10 miles) of the common grazings? Yes No

(i) If **'No'**, please give details of the timescale for taking up permanent residence within 16 kilometres of the common grazings:

(ii) If you are not resident on or within 16 kilometres of the common grazings, please give details of how the share will be worked in your absence:

13 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?

14 How do you propose to use your new share(s) in the grazings?

15 What experience and/or skills do you have to implement your plans for using the grazings share(s), including non agricultural experience and skills? (You should include any relevant qualifications):

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

17 Are you the Grazings Clerk/Constable or a member of the Grazings Committee? Yes No

18 Are you or any family member employed by the owner of the common grazings? Yes No

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

19 Do you hold an interest in the ownership of the grazings? ie a share in the estate or a beneficial interest Yes No

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

PROPOSED ASSIGNEE/AGENT PLEASE SIGN THIS DECLARATION

IMPORTANT INFORMATION

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

20 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.

APPENDIX 1

Additional Owner of Common Grazing Details

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

Additional Agent Details for Owner of Common Grazing (only if applicable)

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

Additional Owner of Common Grazing Details

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

Additional Agent Details for Owner of Common Grazing (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 Grazings Share(s)

_____ (your name)
is applying to the Crofters Commission for consent to assign the grazings share(s) pertaining to
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 Assignment of a Grazings Share(s)

I am applying to the Crofters Commission for consent to assign the grazings share(s) pertaining to the 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: _____