



Application to Divide – 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 divide 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 Shareholder 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/Guardian Details for Shareholder (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(s) of Common Grazings Details (more details can be entered on Appendix 1)

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

5 Agent Details for Owner(s) of Common Grazings (only if applicable)

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

APPLICATION DETAILS

6 Please give your reasons for applying for consent to divide the grazings shares:

7 Please give the name of the common grazings where the share(s) is/are held:

8 What is your share/souming: _____

IMPORTANT INFORMATION

We strongly advise you to confirm your share/souming entitlement with your local Grazings Clerk or with the Commission before answering this question. If our records do not match the information you provide, the application may be returned to you.

Any Crofter Forestry rights will be divided in proportion to the division of the share/souming.

9 How many new share(s) will be created as a result of the division?

(Please ✓ tick the appropriate box below)

2

3

Other _____ (please specify)

- 10 Please let us know the share fraction/souming of each new share/souming resulting from the division of the original share/souming.

Share/Souming	Details of Divided Share(s)/Souming
1 (share/souming retained)	
2	
3	
4	

IMPORTANT INFORMATION

You should ensure that the divided share(s)/souming, when added together, match the original share(s)/souming.

- 11 Will any new share created by the division of the original share be assigned to another person? Yes No

If 'Yes', please advise which new share(s) you intend to assign:

(Please tick ✓ the appropriate boxes)

Assignment: Share 1 Share 2 Share 3 Share 4

- 12 Is any new share to be renounced by you? Yes No

If 'Yes', please give details below:

(Please tick ✓ the appropriate boxes)

New Share(s) to be renounced: Share 1 Share 2 Share 3 Share 4

Note: *If you ✓ ticked one or more of the above boxes, your landlord cannot apply to let the new share(s) until the outcome of this application is known and you have also renounced your interest in the tenancy.*

IMPORTANT INFORMATION

You cannot renounce or apply to assign the tenancy of the divided share(s)/souming until the outcome of this application is decided.

You may apply to us for consent to assign a divided share/souming to another person as a new unit. Alternatively, you may renounce the divided share/souming to the landlord so that they can apply to let it as an enlargement to another croft.

- 13 Have you agreed a revised rent for the new share(s)/souming with the landlord? Yes No

If 'Yes', please complete details at Appendix 2.

PUBLIC NOTIFICATION

- 14 You must advertise your application to divide the grazings share(s) 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 you send your application to us before your 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 3.

SHAREHOLDER/AGENT PLEASE SIGN THIS PAGE

IMPORTANT INFORMATION

If we approve the application, the division will be recorded by us as soon as you confirm the names for each new croft and details of any new or revised rents agreed with the landlord or his/her appointed agent. A Croft Name and Rent Notification Form is attached at Appendix 2.

15 Declaration

This application is submitted under section 9 of the Crofters (Scotland) Act 1993 for consent to divide the grazings share(s).

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 grazings written notification of my division application (see Appendix 4 for example letter);**
- **I will advertise this application for consent to divide the grazings share(s) in a newspaper circulating in the local area.**

Signed _____ **Date** _____
Tenant/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 and any other interested parties that we have consented to the application and the division can be implemented.
- If we decide to intervene we will notify the applicant 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 Owner of Common Grazings Details

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

Additional Agent Details for Owner of Common Grazings (if applicable)

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

Additional Owner of Common Grazings Details

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

Additional Agent Details for Owner of Common Grazings (if applicable)

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

Division of Grazings Rights Rent Notification

Name of Shares: _____

Is the name of the original share to be changed? Yes No

If 'Yes', give revised name here: _____

Revised Annual Rent: £ _____
(original share)

Name for Share 2: _____

Annual Rent: £ _____

Name for Share 3: _____

Annual Rent: £ _____

Name for Share 4: _____

Annual Rent: £ _____

I confirm the foregoing details have been agreed with the owner(s).

Signed _____ **Date** _____
Tenant/Agent

I confirm the foregoing details have been agreed with the shareholder

Signed _____ **Date** _____
Owner/Agent

Signed _____ **Date** _____
Owner/Agent

Please Note: *Where there is more than one owner, each owner must sign this form.*

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 Division of a Grazings Share(s)

_____ is applying to divide the grazings share(s) in the _____ (Common Grazings) into _____ parts.

The purpose of the application is to assign the new share(s) to _____ (proposed tenant name) of _____ (address).

(Add details of each share to be separately assigned to each assignee, if more than one).

*The purpose of the application is to renounce my tenancy of the new share(s) to the owner(s) of the common grazing.

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 Owner(s) of Common Grazings

Proposed Division of a Grazings Share(s)

I am applying to the Crofters Commission for consent to divide the grazing share(s) in the _____ Common Grazings into _____ parts.

The purpose of the application is to assign the new share(s) to _____ (proposed tenant name) of _____ (address).

(Add details of each share to be separately assigned to each assignee, if more than one)

*The purpose of the application is to renounce my tenancy of the new share(s) to you.

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 in the 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)