



Land Reform (Scotland) Act 2003: Part 2 Community Right to Buy



Application to register a community interest in land

For official use only

Code: APP

Rcv'd date

You are advised to keep a copy of this form for your records

This form can be:

- Downloaded and completed electronically, or
- Downloaded and completed manually using black or blue ink and in capital letters

Please mark an "X" in the appropriate box to indicate the type of application being submitted.

Timeous application – Where the land is not on the market and action has not been taken by the owner of the land, or creditor in a standard security with a right to sell the land, with a view to transfer of the land.

Late application – Where the land is on the market or any other action has been taken by the owner of the land, or creditor in a standard security with a right to sell the land, with a view to transfer of the land.

SECTION 1 – WHO IS APPLYING

1.1 Name of the community body ("CB") applying to register a community interest in land.

Name of Community Body

SECTION 2 – DETAILS OF WHO IS APPLYING

2.1 Please supply the official registered or principal office of the CB.

Postal Address

Town

County

Postcode

Country

2.2 Please supply the address the CB wishes correspondence in relation to the community right to buy process to be issued to.

Contact name:

Postal Address

Town

County

Postcode

Country

Telephone

Email

2.3 Please mark an “X” in the relevant box to confirm the type of CB and its official number.

Company Limited by Guarantee (CLBG)
and its company number is:

Scottish Charitable Incorporated Organisation (SCIO)
and its charity number is:

Community Benefit Society (BenCom)
and its registration number is:

This application must be accompanied by a copy of the CB’s governing documents (i.e. memorandum, articles of association, constitution or registered rules) and evidence of its company, charity or registration number. Please mark an “X” confirming that such a copy and evidence accompanies this application.

2.4 Please provide the definition of the community as set out in the CB’s governing document in accordance with section 34(1)(a), 34(1A)(a) or 34(1B)(a) of the Land Reform (Scotland) Act 2003.

2.5 This application must be accompanied by one or more maps or drawings, which:

- (a) is/are prepared to the specifications referred to in Part 2 of Schedule 1 to the Community Right to Buy (Scotland) Regulations 2015, and
- (b) describe(s) the area of the community to which the community body relates.

Please confirm the total number of such maps, plans or other drawings which accompany this application.

2.6 Please provide:

(A) The total number of members in the CB

(B) A breakdown of the total number of each different type(s) of membership as stated in the CB's governing document (i.e. memorandum, articles of association, constitution or registered rules).

(C) The membership details (i.e. names, address and membership type of the CB's members).

SECTION 3 — THE LAND TO BE REGISTERED

3.1 Please mark an “X” in the relevant box(es) to indicate the type(s) of land to which this application relates.

Buildings

Recreation land

Woodland

Farm/grazing land

Industrial site

Croft land

Water

Brown field site

If other type of land, salmon fishings or mineral rights please state below.

3.2 What is the estimated area of the land (or land in respect of which the salmon fishings or mineral rights are exigible)?

3.3 What county is the land (or land in respect of which the salmon fishings or mineral rights are exigible) located in?

3.4 Please provide a written description of the land to which this application relates (e.g. the location of such land or land in respect of which salmon fishings or mineral rights are exigible within the community; postcodes covering the land; the condition of the land; its northern, southern, eastern and western boundaries, measurements if applicable).

3.5 This application must be accompanied by one or more maps or drawings, which:

- (a) is/are prepared to the specifications referred to in Part 1 of Schedule 1 to the Community Right to Buy (Scotland) Regulations 2015, and
- (b) describe(s) the land to which this application relates.

Please confirm the total number of such maps, plans or other drawings which accompany this application.

3.6 Please mark an “X” to indicate whether this application is to register an interest in salmon fishings which are owned separately from the land in respect of which they are exigible.

YES **NO**

If “Yes”, please provide details of the salmon fishings, including details of ownership.

3.7 Please mark an “X” to indicate whether this application is to register mineral rights which are owned separately from the land in respect of which they are exigible.

YES **NO**

If “Yes”, please provide details of mineral rights, including details of ownership.

3.8 Please mark an “X” to indicate whether any of the following apply to the land, or any part of the land, in relation to the land to which this application relates.

YES **NO**

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Planning |
| <input type="checkbox"/> | <input type="checkbox"/> | An outstanding planning application relating to it |
| <input type="checkbox"/> | <input type="checkbox"/> | Indicated as suitable for development in the local authority’s local development plan |
| <input type="checkbox"/> | <input type="checkbox"/> | Subject of a compulsory purchase order |
| <input type="checkbox"/> | <input type="checkbox"/> | Any burden(s) on, or restrictions on use of, the land |

If “Yes” to any of the above, please provide details.

3.9 Please mark an “X” in one box which you consider best describes the community’s connection to the land in relation to which this application is made.

A significant number of the members of the community have a connection with the land.

The land is sufficiently near to land with which those members of the community have a connection.

The land is in, or sufficiently near to the area of the community (the community being the community as defined in response to question 2.4).

Please provide details to explain why the relevant box has been marked with an “X” above.

SECTION 4 – OWNERSHIP & INTERESTS

4.1 Please provide the contact details of the owner of the land to which this application relates.

NOTE – If the owner’s details are unknown, please state “Unknown” at 4.1 and proceed to 4.3.

Contact Name:

Postal Address:

Town:

County:

Postcode:

Country:

Company No. (if applicable):

4.2 If there is more than one owner (e.g. the land is in joint or common ownership between a number of owners), then please provide the contact details for the other owner(s).

4.3 Please list the names and addresses of all persons whom the CB are aware have legally enforceable rights and interests (e.g. all persons with leases, any creditor in a standard security over the land) in all or part of the land to which this application relates and detail those rights and interests.

4.4 Please confirm what checks were carried out (including by whom and when) to establish who owns the land to which this application relates and whether there are any creditors in a standard security with a right to sell the land.

- 4.5** If the owner(s) or any creditor in a standard security with a right to sell the land is unknown or cannot be found, please provide details of the steps taken by the CB in accordance with section 37(4) of the Land Reform (Scotland) Act 2003.

SECTION 5 – LATE APPLICATION EVIDENCE

- If you have indicated that this is a “Late” application, **you should complete this section.**
 - If you have indicated that this is a “Timeous” application, you **do not** need to complete this section and should **continue to section 6.**
 - CBs are required to demonstrate a significantly greater level of community support than the expected 10% required for “Timeous” applications. **Please provide this evidence of support at section 6.**
 - CB’s are required to provide strongly indicative reasons of why the “Late” application is in the public interest. **Please provide this information at section 8.**
- 5.1** Please provide details of all relevant work carried out or steps taken by any person with a view to an application being made by the CB to register an interest in relation to either (a) the land to which this application relates or (b) other land with a view to such land being used for purposes that are the same as those proposed for the land in relation to which this application relates:

- 5.2** If the CB did not carry out any relevant work or take relevant steps as set out in section 5.1, then please provide:

(A) Reasons why such relevant work was not carried out or relevant steps not taken.

(B) Reasons why the “Late” application should be approved by Ministers despite such relevant work not having been carried out or relevant steps not having been taken.

- 5.3** Please mark an “X” in one box to confirm whether the owner, or as the case may be, creditor, offered to sell the land to which this application relates to the CB within the last 12 months?

YES NO

If “Yes”, please provide reasons why the CB did not proceed to buy the land.

5.4 Please mark an “X” in one box to confirm whether, to the CB’s knowledge, the owner or as the case may be, creditor, offered to sell the land to which this application relates to another CB within the last 12 months?

YES **NO**

If “Yes”, please provide reasons (if known) why that CB did not proceed to buy the land.

SECTION 6 – COMMUNITY SUPPORT

6.1 Please mark an “X” in one box to confirm whether 10% of the members of the community have indicated approval of the registration of the community interest to which this application relates.

YES **NO**

If “No”, please explain why there is, within the community, a sufficient level of support to justify the registration.

6.2 Please provide:

(A) Evidence and details of support obtained, including the date on which the approval of each member of the community was indicated:

(B) A breakdown of the level of support:

- Total number of members of the community
- Total number of members of the community who have indicated approval for the registration
- Overall percentage of members of the community who have indicated approval of the registration. %

SECTION 7 – PROPOSALS FOR THE LAND

7.1 Please explain your proposals for the land to which this application relates.

7.2 Please explain how the acquisition by the CB of the land to which this application relates is compatible with furthering the achievement of sustainable development.

SECTION 8 – PUBLIC INTEREST

NOTE – In the case of a “Late” application, the CB is required to provide strongly indicative reasons of why its “Late” application to register an interest in land is in the public interest.

8.1 Please explain why it is in the public interest that the community interest to which this application relates be registered (e.g. any environmental, social, economic and other benefits).

SECTION 9 – DECLARATION

- We the undersigned have been authorised by the community body to provide the information in this form, the proposals detailed within it and any supporting documents.
- The community body understands that, if it makes any inaccurate statements or provides inaccurate information (deliberate or accidental) at any stage during the right to buy process, or if it knowingly withholds any information, this could result in Scottish Ministers deciding not to register the community interest.
- The community body has not altered or deleted the original wording of this form.
- The community body understands that you require each signatory (2 board members, charity trustees or committee members) to this form to provide his/her full names and home address for the purposes of prevention and detection of fraud.
- The community body confirms that it is still a community body within the requirements of subsection (1), (1A) or (1B) of section 34 of the Land Reform (Scotland) Act 2003.
- The community body understands that this form and supporting documents may appear in the Register of Community Interests in Land.
- We the undersigned have read and understand the terms of this declaration.

We, the undersigned on behalf of the community body as noted at section 1, apply to register an interest in the land as specified in this application under section 37(1) of the Land Reform (Scotland) Act 2003.

Name

Address

Date

Position

Signature

Name

Address

Date

Position

Signature

For more information and guidance on the community right to buy and on this form (including where to post this form) please visit www.gov.scot and search for “community right to buy”.

You can also email the completed form and associated documents to crtb@gov.scot