

26 April 2011

POLICY FOR HOUSE PLOT SALES – APRIL 2011

Introduction.

1. This policy will inform the decision of the West Harris Trust when considering requests for the purchase of land. The Trust, as a community body, reserves the right to vary this policy in light of our objectives to secure sustainable development in West Harris.

Sale of Statutory House Site.

2. Sales of statutory house sites to crofters will be set at £2500.00 per hectare (£250 for an average 0.1ha site) plus £250 to cover administrative costs. All legal and planning costs will be borne by the purchaser.

Sale of Site for Crofter's Family Use.

3. Sales of house sites for the use of members of a crofters' family will be set at £2500.00 per hectare (£250 for an average 0.1ha site) plus £250 to cover administrative costs. All legal and planning costs will be borne by the purchaser.

Sale of Site for Diversification/Business Development.

4. Sales of plots of land to crofters for the purpose of diversification and/or business development will be set at £2500.00 per hectare plus £250 to cover administrative costs. Any sales to a nominee will be made at the rate of £5000 per plot, the plot in question to be no larger than 0.1ha. All legal and planning costs will be borne by the purchaser.

Developments on Common Grazings.

5. West Harris Trust will work with townships to identify suitable sites for affordable housing. These developments will be for residential properties in line with the Trust's wider aims. The Trust, in conjunction with local grazings committees, will formulate specific policies to act as guidance in respect of these sales.

Definition of Family Member

6. For the purpose of this policy the Trust have been guided by the definition laid out in the Crofting Reform Act 2007. Those of the following degrees of relationship to a crofting tenant will be held to be 'family' within the terms of this policy:

- Husband, wife, or civil partner, or co-habitant;
- Sibling;
- Sibling's spouse or civil partner;
- Spouse's or civil partner's sibling;
- Father or mother;
- Son or daughter;
- Son's or daughter's spouse or civil partner;
- Aunt or uncle; and
- Nephew or niece.

7. A civil partner is defined by the Civil Partnership Act 2004.

8. A co-habitant is included only if the crofter is unmarried and has no civil partner and the co-habitant has lived with the crofter in the croft house for at least two years as if they were in a married relationship or a civil partnership.

9. Sibling includes a half-brother or sister, and a brother or sister related by adoption, marriage, or civil partnership.

10. Son or daughter also includes a person related by adoption, marriage, or civil partnership.

11. Son or daughter includes a son or daughter of the crofter's co-habitant if the son or daughter also resides with the crofter in the croft house and has done so for at least two years.