



# Crofting Reform etc. Act 2007

2007 asp 7

## PART 2

### CROFTS

#### 19 Access to croft

After section 53A of the 1993 Act (inserted into that Act by section 18 of this Act), there is inserted—

##### “53B Access to croft

- (1) Where a crofter considers that—
  - (a) he requires access from a public road to his croft; and
  - (b) it would be reasonable for such access to be taken by a route lying wholly over land owned by his landlord,the crofter may make application to the Land Court for an order under subsection (2) below.
- (2) On an application under subsection (1) above, the Land Court shall make such order as it considers appropriate in all the circumstances, and the order may in particular make provision—
  - (a) specifying an access route from the public road to the croft lying wholly over land owned by the landlord;
  - (b) as to the arrangements under which the crofter may carry out works to construct or improve a road over the access route;
  - (c) as to the conditions subject to which access may be exercised, including conditions as to what types of vehicle may be taken along the access route;
  - (d) requiring the crofter to indemnify the landlord in respect of any claim for compensation made against the landlord under paragraph 11 of Schedule 2 to this Act in consequence of works such as are described in paragraph (b) above;

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*Status: This is the original version (as it was originally enacted).*

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- (e) requiring the crofter to make a payment to the landlord in respect of expenses incurred by the landlord in connection with matters which are the subject of the application.
- (3) Any order under subsection (2) above shall have effect as if the matters for which the order makes provision had been the subject of an agreement between the crofter and the landlord.
- (4) The right of a crofter to make application to the Land Court under subsection (1) above shall be without prejudice to any other right which that crofter may have in connection with access to his croft.”