



# Agricultural Holdings Act 1986

## 1986 CHAPTER 5

### PART III

#### NOTICES TO QUIT

##### *Notices to quit part of agricultural holding*

#### **31 Notice to quit part of holding valid in certain cases.**

- (1) A notice to quit part of an agricultural holding held on a tenancy from year to year given by the landlord of the holding shall not be invalid on the ground that it relates to part only of the holding if it is given—
- (a) for the purpose of adjusting the boundaries between agricultural units or amalgamating agricultural units or parts of such units, or
  - (b) with a view to the use of the land to which the notice relates for any of the objects mentioned in subsection (2) below,
- and the notice states that it is given for that purpose or with a view to any such use, as the case may be.
- (2) The objects referred to in subsection (1) above are—
- (a) the erection of cottages or other houses for farm labourers, whether with or without gardens;
  - (b) the provision of gardens for cottages or other houses for farm labourers;
  - (c) the provision of allotments;
  - (d) the letting of land (with or without other land) as a smallholding under Part III of the <sup>M1</sup>Agriculture Act 1970;
  - (e) the planting of trees;
  - (f) the opening or working of a deposit of coal, ironstone, limestone, brick-earth or other mineral, or a stone quarry or a clay, sand or gravel pit, or the construction of any works or buildings to be used in connection therewith;
  - (g) the making of a watercourse or reservoir;

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- (h) the making of a road, railway, tramroad, siding, canal or basin, or a wharf, pier, or other work connected therewith.

#### Marginal Citations

M1 1970 c. 40.

### 32 Right to treat notice to quit part of holding as notice to quit entire holding.

- (1) Where there is given to the tenant of an agricultural holding a notice to quit part of the holding, being either—
- such a notice as is rendered valid by section 31 above, or
  - a notice given by a person entitled to a severed part of the reversionary estate in the holding,

subsection (2) below shall apply.

- (2) If—
- within twenty-eight days after the giving of the notice, or
  - where the operation of the notice depends on any proceedings under this Part of this Act, within twenty-eight days after the time at which it is determined that the notice has effect,

the tenant gives to the landlord or (as the case may be) to the persons severally entitled to the severed parts of the reversion a counter-notice in writing to the effect that he accepts the notice to quit as a notice to quit the entire holding given by the landlord or (as the case may be) those persons, to take effect at the same time as the original notice, the notice to quit shall have effect accordingly.

### 33 Reduction of rent where notice is given to quit part of holding.

- (1) Where the landlord of an agricultural holding resumes possession of part of the holding either—
- by virtue of section 31(1) above, or
  - in pursuance of a provision in that behalf contained in the contract of tenancy,
- the tenant shall be entitled to a reduction of rent proportionate to that part of the holding and in respect of any depreciation of the value to him of the residue of the holding caused by the severance or by the use to be made of the part severed.
- (2) The amount of any reduction of rent under this section shall, in default of agreement made after the landlord resumes possession of the part of the holding concerned, be determined by arbitration under this Act.

[<sup>F1</sup>(2A) Notwithstanding subsection (2) above, the tenant and landlord may instead refer for third party determination under this Act the question of the amount of any reduction of rent to which the tenant is entitled under this section.]

- (3) In a case falling within subsection (1)(b) above that falls to be determined by arbitration [<sup>F2</sup>or third party determination] under this Act the arbitrator [<sup>F3</sup>or (as the case may be) the third party], in assessing the amount of the reduction, shall take into consideration any benefit or relief allowed to the tenant under the contract of tenancy in respect of the land possession of which is resumed by the landlord.

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**Textual Amendments**

- F1** S. 33(2A) inserted (26.3.2015 for specified purposes, 26.5.2015 in so far as not already in force) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(2)(e)(3)(a), **Sch. 4 para. 14(2)**
- F2** Words in s. 33(3) inserted (26.3.2015 for specified purposes, 26.5.2015 in so far as not already in force) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(2)(e)(3)(a), **Sch. 4 para. 14(3)(a)**
- F3** Words in s. 33(3) inserted (26.3.2015 for specified purposes, 26.5.2015 in so far as not already in force) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(2)(e)(3)(a), **Sch. 4 para. 14(3)(b)**

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