



Agricultural Holdings Act 1986

CHAPTER 5

AGRICULTURAL HOLDINGS ACT 1986

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SCHEDULES**SCHEDULE 1 — Matters for Which Provision is to be Made in Written Tenancy Agreements**

- 1 The names of the parties.
- 2 Particulars of the holding with sufficient description, by reference to...
- 3 The term or terms for which the holding or different...
- 4 The rent reserved and the dates on which it is...
- 5 The incidence of the liability for rates (including drainage rates)....
- 6 A covenant by the tenant in the event of the...
- 7 A covenant by the tenant (except where the interest of...
- 8 A power for the landlord to re-enter on the holding...
- 9 A covenant by the tenant not to assign, sub-let or...

SCHEDULE 2 — Arbitration of Rent : Provisions Supplementary to Section 12

Amount of rent

- 1 (1) For the purposes of section 12 of this Act,...
- 2 (1) On a reference under section 12 of this Act,...
- 3 On a reference under section 12 of this Act the...

Frequency of arbitrations under section 12

- 4 (1) Subject to the following provisions of this Schedule, a...
- 5 (1) This paragraph applies in any case where a tenancy...
- 6 Where under an agreement between the landlord and the tenant...

SCHEDULE 3 — Cases Where Consent Of Tribunal To Operation Of Notice To Quit Is Not Required

PART I — THE CASES

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CASE B

CASE C

CASE D

CASE E

CASE F

CASE G

CASE H

PART II — SUPPLEMENTARY PROVISIONS APPLICABLE TO CASES A, B, C, D, E AND G

Provisions applicable to Case A

- 1 Paragraphs 2 to 7 below have effect for determining whether,...
- 2 For the purposes of paragraph (b) of Case A, a...
- 3 Where no such certificate as is mentioned in paragraph 2...
- 4 (1) The accommodation must be reasonably suitable to the needs...
- 5 Accommodation shall not be deemed to be suitable to the...
- 6 Any document purporting— (a) to be a certificate of a...

Status: This is the original version (as it was originally enacted).

7 (1) In paragraphs 2, 4 and 6 above " housing...

Provisions applicable to Case B

8 (1) For the purposes of Case B no account shall...

Provisions applicable to Case C

9 (1) For the purposes of Case C the landlord of...

Provisions applicable to Case D

10 (1) For the purposes of Case D—

Provisions applicable to Case E

11 (1) Where (a) the landlord is a smallholdings authority, or...

Provisions applicable to Case G

12 For the purposes of Case G— (a) "tenant" does not...

SCHEDULE 4 — Matters for Which Provision may be made by Order Under Section 29

- 1 Requiring any question arising under the provisions of section 26(2)...
- 2 Limiting the time within which any such arbitration may be...
- 3 Extending the period within which a counter-notice may be given...
- 4 Suspending the operation of notices to quit until the expiry...
- 5 Postponing the date at which a tenancy is to be...
- 6 Excluding the application of section 26(1) of this Act in...
- 7 Making such provision as appears to the Lord Chancellor expedient...
- 8 The determination by arbitration under this Act of any question...
- 9 Enabling the arbitrator, on an arbitration under this Act relating...
- 10 Enabling the time within which anything is to be done...
- 11 Enabling a tenancy, in a case where that time is...
- 12 Securing that, where a subsequent notice to quit is given...
- 13 The recovery by a tenant of the cost of any...

SCHEDULE 5 — Notice to Quit Where Tenant is a Service Man

- 1 In this Schedule— " the 1951 Act" means the Reserve...
- 2 (1) Paragraph 3 below shall have effect where—
- 3 (1) Section 26(1) of this Act shall apply notwithstanding the...
- 4 Where the tenant of an agricultural holding to which this...
- 5 The Lord Chancellor's power under section 29 of this Act...
- 6 (1) The Lord Chancellor may make regulations—

SCHEDULE 6 — Eligibility to Apply For New Tenancy Under Part IV of this Act

PART I — " ELIGIBLE PERSON ": SUPPLEMENTARY PROVISIONS

Preliminary

1 (1) In this Schedule— " the livelihood condition " means...

The livelihood condition

2 For the purposes of the livelihood condition, any period during...

Commercial unit of agricultural land

- 3 (1) In the occupancy condition " commercial unit of agricultural...
4 The Minister shall by order— (a) prescribe such units of...

Ministerial statements as to net annual income of land

- 5 (1) For the purposes of any proceedings under sections 36...

Occupation to be disregarded for purposes of occupancy condition

- 6 (1) Occupation by a close relative of the deceased of...

Joint occupation

- 7 (1) Where any agricultural land is jointly occupied by a...

Deemed occupation in case of Tribunal direction

- 8 (1) Where a close relative of the deceased is, by...

Occupation by spouse or controlled company

- 9 (1) For the purposes of the occupancy condition and of...

*Deemed occupation in case of tenancy or licence
granted by close relative, spouse or controlled company*

- 10 (1) Where (a) any agricultural land is occupied by any...
PART II — MODIFICATIONS OF PART I OF THIS SCHEDULE IN ITS
APPLICATION TO SUCCESSION ON RETIREMENT
11 The modifications of Part I of this Schedule referred to...
12 The reference in paragraph 1(1) to section 36(3) of this...
13 References to a close relative of the deceased shall be...
14 In paragraph 5— (a) references to sections 36 to 48...
15 The reference in paragraph 7(2) to section 39 of this...
16 For paragraph 8 there shall be substituted— Where the nominated
successor is, by virtue of a direction...

SCHEDULE 7 — Long-Term Improvements begun on or after 1st March 1948 for
which Compensation is Payable

PART I — IMPROVEMENTS TO WHICH CONSENT OF LANDLORD REQUIRED

- 1 Making or planting of osier beds.
2 Making of water meadows.
3 Making of watercress beds.
4 Planting of hops.
5 Planting of orchards or fruit bushes.
6 Warping or weiring of land.
7 Making of gardens.
8 Provision of underground tanks.

PART II — IMPROVEMENTS TO WHICH CONSENT OF LANDLORD OR
APPROVAL OF TRIBUNAL REQUIRED

- 9 Erection, alteration or enlargement of buildings, and making or
improvement...
10 Carrying out works in compliance with an improvement notice served,...

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

- 11 Erection or construction of loading platforms, ramps, hard standings for...
- 12 Construction of silos.
- 13 Claying of land.
- 14 Marling of land.
- 15 Making or improvement of roads or bridges.
- 16 Making or improvement of water courses, culverts, ponds, wells or...
- 17 Making or removal of permanent fences.
- 18 Reclaiming of waste land.
- 19 Making or improvement of embankments or sluices.
- 20 Erection of wirework for hop gardens.
- 21 Provision of permanent sheep-dipping accommodation.
- 22 Removal of bracken, gorse, tree roots, boulders or other like...
- 23 Land drainage (other than improvements falling within paragraph 1 of...
- 24 Provision or laying-on of electric light or power.
- 25 Provision of facilities for the storage or disposal of sewage...
- 26 Repairs to fixed equipment, being equipment reasonably required for the...
- 27 The grubbing up of orchards or fruit bushes.
- 28 Planting trees otherwise than as an orchard and bushes other...

SCHEDULE 8 — Short-Term Improvements Begun on or After 1st March 1948, and other matters, for which compensation is payable

PART I — IMPROVEMENTS (TO WHICH NO CONSENT REQUIRED)

- 1 Mole drainage and works carried out to secure its efficient...
- 2 Protection of fruit trees against animals.
- 3 Clay burning.
- 4 Liming (including chalking) of land.
- 5 Application to land of purchased manure and fertiliser, whether organic...
- 6 Consumption on the holding of corn (whether produced on the...

PART II — TENANT-RIGHT MATTERS

- 7 Growing crops and severed or harvested crops and produce, being...
- 8 Seeds sown and cultivations, fallows and acts of husbandry performed...
- 9 Pasture laid down with clover, grass, lucerne, sainfoin or other...
- 10 (1) Acclimatisation, hefting or settlement of hill sheep on hill...
- 11 (1) In areas of the country where arable crops can...

SCHEDULE 9 — Compensation to Tenant for Improvements Begun Before 1st March 1948

PART I — TENANT'S RIGHT TO COMPENSATION FOR OLD IMPROVEMENTS

- 1 (1) The tenant of an agricultural holding shall, subject to...
- 2 (1) The amount of any compensation under this Schedule for...
- 3 (1) Compensation under this Schedule shall not be payable for...
- 4 (1) Compensation under this Schedule shall not be payable for...
- 5 (1) Where the tenant of an agricultural holding has remained...

PART II — OLD IMPROVEMENTS FOR WHICH COMPENSATION IS PAYABLE

- 1 Erection, alteration or enlargement of buildings.
- 2 Formation of silos.
- 3 Making and planting of osier beds.
- 4 Making of water meadows or works of irrigation.
- 5 Making of gardens.
- 6 Making or improvement of roads or bridges.

- 7 Making or improvement of watercourses, ponds, wells or reservoirs or...
- 8 Making or removal of permanent fences.
- 9 Planting of hops.
- 10 Planting of orchards or fruit bushes.
- 11 Reclaiming of waste land.
- 12 Warping or weiring of land.
- 13 Embankments and sluices against floods.
- 14 Erection of wirework in hop gardens.
- 15 Provision of permanent sheep-dipping accommodation.
- 16 Drainage.

SCHEDULE 10 — Market Garden Improvements

- 1 Planting of standard or other fruit trees permanently set out...
- 2 Planting of fruit bushes permanently set out.
- 3 Planting of strawberry plants.
- 4 Planting of asparagus, rhubarb and other vegetable crops which continue...
- 5 Erection, alteration or enlargement of buildings for the purpose of...

SCHEDULE 11 — Arbitrations

Appointment and remuneration of arbitrator

- 1 (1) The arbitrator shall be a person appointed by agreement...
- 2 If the arbitrator dies, or is incapable of acting, or...
- 3 In relation to an arbitrator who is appointed in place...
- 4 Neither party shall have power to revoke the appointment of...
- 5 Every appointment, application, notice, revocation and consent under the foregoing...
- 6 The remuneration of the arbitrator shall be—

Conduct of proceedings and witnesses

- 7 The parties to the arbitration shall, within thirty-five days from...
- 8 The parties to the arbitration and all persons claiming through...
- 9 Witnesses appearing at the arbitration shall, if the arbitrator thinks...
- 10 The provisions of county court rules as to the issuing...
- 11 (1) Subject to sub-paragraphs (2) and (3) below, any person...
- 12 (1) Subject to sub-paragraph (2) below, the judge of the...
- 13 The High Court may order that a writ of habeas...

Award

- 14 (1) Subject to sub-paragraph (2) below, the arbitrator shall make...
- 15 The arbitrator may if he thinks fit make an interim...
- 16 The arbitrator shall— (a) state separately in the award the...
- 17 Where by virtue of this Act compensation under an agreement...
- 18 The award shall fix a day not later than one...
- 19 The award shall be final and binding on the parties...
- 20 The arbitrator shall have power to correct in the award...

Reasons for award

- 21 Section 12 of the Tribunals and Inquiries Act 1971 (reasons...

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

Interest on awards

- 22 Any sum directed to be paid by the award shall,...

Costs

- 23 The costs of, and incidental to, the arbitration and award...
24 On the application of either party, any such costs shall...
25 (1) The arbitrator shall, in awarding costs, take into consideration—...

Special case, setting aside award and remission

- 26 The arbitrator may, at any stage of the proceedings, and...
27 (1) Where the arbitrator has misconducted himself, the county court...
28 (1) The county court may from time to time remit...

Miscellaneous

- 29 Any amount paid, in respect of the remuneration of the...
30 The provisions of this Schedule relating to the fixing and...
31 For the purposes of this Schedule, an arbitrator appointed by...
32 Any instrument of appointment or other document purporting to be...

SCHEDULE 12 — Modifications Applicable to Old Tenancies and other Similar Cases

General

- 1 Section 2 of this Act shall not apply to an...
2 Section 3 of this Act shall not apply to a...

Right to remove fixtures

- 3 A tenant shall not be entitled by virtue of section...

Notices to quit

- 4 (1) Where a tenancy of an agricultural holding subsists under...

Compensation for improvements

- 5 The tenant of an agricultural holding shall not be entitled...

Compensation for tenant-right matters

- 6 (1) Where the tenant of an agricultural holding entered into...
7 (1) This paragraph applies where the tenant of an agricultural...
8 (1) In a case where, by virtue of paragraph 6...
9 The Minister may revoke or vary the provisions of paragraphs...

Market gardens

- 10 (1) Except as provided by this paragraph, subsections (2) to...

SCHEDULE 13 — Transitional Provisions and Savings

Construction of references to old and new law

- 1 (1) Any reference, whether express or implied, in any enactment,...
2 References, in whatever terms, in any enactment to a holding...

Continuation of old law for certain pending cases

- 3 (1) Nothing in this Act shall apply in relation to—...

Periods of time

- 4 Where a period of time specified in any enactment repealed...

Transfer of functions

- 5 Any reference, whether express or implied, in this Act (or...
6 Section 22 of this Act shall have effect in relation...
7 (1) Schedule 11 to this Act shall have effect in...

Compensation

- 8 Notwithstanding section 16 of the Interpretation Act 1978, rights to...

Right to remove fixtures

- 9 Sections 13 and 67 of the Agricultural Holdings Act 1948...

Compensation for damage by game

- 10 Section 14 of the Agricultural Holdings Act 1948 shall continue...

Succession on death or retirement

- 11 (1) Where Part IV of this Act has effect in...
12 Without prejudice to the generality of section 34(1)(b)(iii) of this...

Record of condition of holding

- 13 (1) In section 70(2)(b) of this Act the reference to...

Insolvency

- 14 Sections 80(9) and 96(2) of this Act shall have effect...

Forms for arbitration

- 15 Any form specified in pursuance of paragraph 15 or 27...

Notices to quit

- 16 Paragraphs 10(1)(d) and 11(2) of Part II of Schedule 3...

SCHEDULE 14 — Consequential Amendments

The Small Holdings and Allotments Act 1908

- 1 (1) Section 47 of the Small Holdings and Allotments Act...
2 In section 58 of that Act for the words "...
3 In paragraph (3) of Part II of Schedule 1 to...

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

The Law of Distress Amendment Act 1908

- 4 In section 4(1) of the Law of Distress Amendment Act...

The Chequers Estate Act 1917

- 5 In clauses 6Bfa) and 8D of the Deed set out...

The Land Settlement (Facilities) Act 1919

- 6 In section 2(3) of the Land Settlement (Facilities Act) 1919...
7 In section 11(4) of that Act for the words "Second..."
8 In section 27(7) of that Act- (a) for the words...

The Allotments Act 1922

- 9 In section 3(5) of the Allotments Act 1922—
10 In section 11(2) of that Act for the words "Second..."

The Settled Land Act 1925

- 11 In section 73(1) of the Settled Land Act 1925—

The Law of Property Act 1925

- 12 (1) In section 99 of the Law of Property Act...

The Universities and College Estates Act 1925

- 13 In section 26(1) of the Universities and College Estates Act...

The Landlord and Tenant Act 1927

- 14 In section 17(1) of the Landlord and Tenant Act 1927...
15 In section 19(4) of that Act for the words "..."

The Agricultural Credits Act 1928

- 16 In section 5(7) of the Agricultural Credits Act 1928 for...

The Leasehold Property (Repairs) Act 1938

- 17 In section 7(1) of the Leasehold Property (Repairs) Act 1938...

The Agriculture Act 1947

- 18 In section 73(3)(b) of the Agriculture Act 1947 for the...
19 In Schedule 2 to that Act- (a) in paragraph 1...

The Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951

- 20 In section 27(1) of the Reserve and Auxiliary Forces (Protection...

The Landlord and Tenant Act 1954

- 21 In section 43(1)(a) of the Landlord and Tenant Act 1954...
22 In section 69(1) of that Act for the words "Agricultural..."

The Agriculture (Safety, Health and Welfare Provisions) Act 1956

23 In section 24(1) of the Agriculture (Safety, Health and Welfare...

The Coal-Mining (Subsidence) Act 1957

24 (1) Section 10 of the Coal-Mining (Subsidence) Act 1957 shall...

The Opencast Coal Act 1958

25 (1) Section 14 of the Opencast Coal Act 1958 shall...

26 (1) Section 24 of that Act shall be amended as...

27 (1) Section 25 of that Act shall be amended as...

28 (1) Section 26 of that Act shall be amended as...

29 (1) Section 27 of that Act shall be amended as...

30 (1) Section 28 of that Act shall be amended as...

31 In section 51(1) of that Act— (a) after the definition...

32 (1) Schedule 6 to that Act shall be amended as...

33 (1) Schedule 7 to that Act shall be amended as...

The Chevening Estate Act 1959

34 In clauses 15(i) and 23(6) of the Trust Instrument set...

The Horticulture Act 1960

35 In section 1(1)(b) of the Horticulture Act 1960 for the...

The Agriculture (Miscellaneous Provisions) Act 1963

36 In subsections ((1)(a) and (6)(c) of section 22 of the...

The Agriculture Act 1967

37 In section 26(1) of the Agriculture Act 1967 for the...

38 In section 27(5B)(a) of that Act for the words "...

39 In section 28(1)(a) of that Act for the words "...

40 In section 29(3)(a) of that Act for the words "...

41 (1) Section 48 of that Act shall be amended as...

42 In paragraph 7(4) of Schedule 3 to that Act for...

The Leasehold Reform Act 1967

43 In section 1(3)(b) of the Leasehold Reform Act 1967 for...

The Agriculture (Miscellaneous Provisions) Act 1968

44 In section 12(1) of the Agriculture (Miscellaneous Provisions) Act 1968...

45 In section 13(1) of that Act for the words "section...

46 (1) Section 17 of that Act shall be amended as...

47 In section 42(2) of that Act, as it has effect...

48 (1) Schedule 3 to that Act shall be amended as...

The Tribunals and Inquiries Act 1971

49 In paragraph 1(b) of Part I of Schedule 1 to...

The Town and Country Planning Act 1971

50 In section 27(7) of the Town and Country Planning Act...

The Land Charges Act 1972

51 (1) Schedule 2 to the Land Charges Act 1972 shall...

The Land Compensation Act 1973

52 In section 34(3)(c) of the Land Compensation Act 1973 for...

53 (1) Section 48 of that Act shall be amended as...

54 (1) Section 56 of that Act shall be amended as...

55 (1) Section 59 of that Act shall be amended as...

56 In section 87(1) for the words "Agricultural Holdings Act 1948..."

The Rent (Agriculture) Act 1976

57 In section 9(3) and (4)(c) of the Rent (Agriculture) Act...

58 In paragraph 2 of Schedule 2 to that Act for...

The Rent Act 1977

59 In section 10 of the Rent Act 1977 for the...

60 In section 137(3) and (4)(c) of that Act for the...

The Protection from Eviction Act 1977

61 In section 8(1) (d) of the Protection from Eviction Act...

The Cycle Tracks Act 1984

62 In section 3(2) of the Cycle Tracks Act 1984 for...

The Housing Act 1985

63 In paragraph 8 of Schedule 1 to the Housing Act...

The Landlord and Tenant Act 1985

64 In section 14(3) of the Landlord and Tenant Act 1985...

SCHEDULE 15 — Repeals and Revocations

PART I — REPEALS

PART II — REVOCATIONS

TABLE OF —
DERIVATIONS