



Land Drainage' (Scotland) Act 1958

1958 CHAPTER 24

6 Variation in rent of agricultural holding in consequence of execution of works thereon

- (1) Where the drainage and protective works specified in an improvement order have been completed in pursuance of such order, the rent of any agricultural holding situated wholly or partly in the improvement area shall, if the landlord by notice served on the tenant within six months from the date of the completion of the said works so requires, be increased as from the said date by an amount equal to the increase in the rental value of the holding attributable to the execution of those works:

Provided that where any grant has been made under section nine of this Act in respect of the cost of improvement under the said order, the increase in rent provided for by the foregoing provisions of this subsection shall be reduced proportionately.

- (2) Where in pursuance of an improvement order any drainage or protective works are executed on agricultural land situated outside the improvement area, the rent of any agricultural holding in which such land is comprised shall, if the tenant by notice served on the landlord within six months from the date of the execution of the said works so requires, be reduced as from the said date by an amount equal to the diminution in the rental value of the holding attributable to the execution of those works.
- (3) In assessing, for the purposes of either of the foregoing subsections, any increase or diminution in the rental value of an agricultural holding account shall not be taken of any injury to fixtures, buildings or other improvements which the tenant of the holding would be entitled under the Agricultural Holdings (Scotland) Act, 1949, to remove, or for which he would be entitled as aforesaid to be paid compensation by his landlord, on the termination of his tenancy.
- (4) Any question arising under this section between the landlord and the tenant of an agricultural holding shall be determined by the Land Court.