



# Agricultural Holdings Act 1986

## 1986 CHAPTER 5

### PART V

#### COMPENSATION ON TERMINATION OF TENANCY

##### *Compensation to tenant for adoption of special system of farming*

#### **70 Compensation for special system of farming.**

- (1) Where the tenant of an agricultural holding shows that, by the continuous adoption of a system of farming which has been more beneficial to the holding—
  - (a) than the system of farming required by the contract of tenancy, or
  - (b) in so far as no system of farming is so required, than the system of farming normally practised on comparable agricultural holdings,the value of the holding as a holding has been increased during the tenancy, having regard to the character and situation of the holding and the average requirements of tenants reasonably skilled in husbandry, the tenant shall be entitled, on quitting the holding on the termination of the tenancy, to obtain from the landlord compensation of an amount equal to the increase.
- (2) Compensation shall not be recoverable under this section unless—
  - (a) the tenant has, not later than one month before the termination of the tenancy, given to the landlord notice in writing of his intention to claim compensation under this section, and
  - (b) a record has been made under section 22 above of the condition of the fixed equipment on the holding and of the general condition of the holding.
- (3) Compensation shall not be recoverable under this section in respect of any matter arising before the date of the making of the record referred to in subsection (2) above or, if more than one such record has been made, the first of them.
- (4) In assessing the value of an agricultural holding for the purposes of this section due allowance shall be made for any compensation agreed or awarded to be paid to the tenant for an improvement falling within section 64(1) or (4) above or (subject to

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**Changes to legislation:** *There are currently no known outstanding effects for the Agricultural Holdings Act 1986, Section 70. (See end of Document for details)*

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paragraph 8 of Schedule 12 to this Act) for any such matter as is specified in Part II of Schedule 8 to this Act, being an improvement or matter which has caused, or contributed to, the benefit.

- (5) Nothing in this section shall entitle a tenant to recover for an improvement falling within section 64(1) or (4) above or an improvement to which the provisions of this Act relating to market gardens apply or (subject to the said paragraph 8) for any such matter as is specified in Part II of Schedule 8 to this Act, any compensation which he is not entitled to recover apart from this section.

**Changes to legislation:**

There are currently no known outstanding effects for the Agricultural Holdings Act 1986, Section 70.