

Status: Point in time view as at 10/01/2019.

Changes to legislation: There are currently no known outstanding effects for the Agricultural Holdings (Scotland) Act 1991, SCHEDULE 5. (See end of Document for details)

SCHEDULES

SCHEDULE 5

Section 33.

NEW IMPROVEMENTS FOR WHICH COMPENSATION MAY BE PAYABLE

PART I

IMPROVEMENTS FOR WHICH CONSENT IS REQUIRED

- 1 Laying down of permanent pasture.
- 2 Making of water-meadows or works of irrigation.
- 3 Making of gardens.
- 4 Planting of orchards or fruit bushes.
- 5 Warping or weiring of land.
- 6 Making of embankments and sluices against floods.
- 7 Making or planting of osier beds.
- 8 Haulage or other work done by the tenant in aid of the carrying out of any improvement made by the landlord for which the tenant is liable to pay increased rent.

PART II

IMPROVEMENTS FOR WHICH NOTICE IS REQUIRED

- 9 Land drainage.
- 10 Construction of silos.
- 11 Making or improvement of farm access or service roads, bridges and fords.
- 12 Making or improvement of watercourses, ponds or wells, or of works for the application of water power for agricultural or domestic purposes or for the supply of water for such purposes.
- 13 Making or removal of permanent fences, including hedges, stone dykes and gates.
- 14 Reclaiming of waste land.
- 15 Renewal of embankments and sluices against floods.
- 16 Provision of stells, fanks, folds, dippers, pens and bughts necessary for the proper conduct of the holding.
- [^{F1}17 Installation, provision, distribution or storage of electricity, gas, power, heat or light.]

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Textual Amendments

- F1** Sch. 5 para. 17 substituted (10.1.2019) by [The Agricultural Holdings \(Scotland\) Act 1991 \(Variation of Schedule 5\) Order 2019 \(S.S.I. 2019/1\)](#), arts. 1(1), **2(2)** (with art. 4)

- 18 Erection, alteration or enlargement of buildings, making or improvement of permanent yards, loading banks and stocks ^{F2}...

Textual Amendments

- F2** Words in Sch. 5 para. 18 repealed (1.4.2010) by [Housing \(Scotland\) Act 2006 \(asp 1\)](#), s. 195(3), [Sch. 7](#) (with s. 193); [S.S.I. 2009/122](#), art. 3

- 19 Erection of hay or sheaf sheds, sheaf or grain drying racks, and implement sheds.
 20 Provision of fixed threshing mills, barn machinery and fixed dairying plant.
 21 Improvement of permanent pasture by cultivation and re-seeding.
 [^{F3}22 Provision of means of sewage, waste or pollutant disposal, or provision of means of managing water on land.]

Textual Amendments

- F3** Sch. 5 para. 22 substituted (10.1.2019) by [The Agricultural Holdings \(Scotland\) Act 1991 \(Variation of Schedule 5\) Order 2019 \(S.S.I. 2019/1\)](#), arts. 1(1), **2(3)** (with art. 4)

- 23 Repairs to fixed equipment, being equipment reasonably required for the efficient farming of the holding, other than repairs which the tenant is under an obligation to carry out.
 [^{F4}23A. Erection of structures for the management or storage of slurries or manures.

Textual Amendments

- F4** Sch. 5 paras. 23A-23C inserted (10.1.2019) by [The Agricultural Holdings \(Scotland\) Act 1991 \(Variation of Schedule 5\) Order 2019 \(S.S.I. 2019/1\)](#), arts. 1(1), **2(4)** (with art. 4)

- 23B. Provision of means of storing silage.

Textual Amendments

- F4** Sch. 5 paras. 23A-23C inserted (10.1.2019) by [The Agricultural Holdings \(Scotland\) Act 1991 \(Variation of Schedule 5\) Order 2019 \(S.S.I. 2019/1\)](#), arts. 1(1), **2(4)** (with art. 4)

- 23C. Works to dwellings.]

Textual Amendments

- F4** Sch. 5 paras. 23A-23C inserted (10.1.2019) by [The Agricultural Holdings \(Scotland\) Act 1991 \(Variation of Schedule 5\) Order 2019 \(S.S.I. 2019/1\)](#), arts. 1(1), **2(4)** (with art. 4)

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PART III

IMPROVEMENTS FOR WHICH NO CONSENT OR NOTICE REQUIRED

- 24 Protecting fruit trees against animals.
- 25 Clay burning.
- 26 Claying of land.
- 27 Liming (including chalking) of land.
- 28 Marling of land.
- [^{F5}29 Eradication of bracken, whins or broom growing on the holding at the commencement of the tenancy.]

Textual Amendments

- F5** Sch. 5 para. 29 substituted (10.1.2019) by [The Agricultural Holdings \(Scotland\) Act 1991 \(Variation of Schedule 5\) Order 2019 \(S.S.I. 2019/1\)](#), arts. 1(1), **3(2)** (with art. 4)

- [^{F6}29A. Removal of tree roots, boulders, stones or other similar obstacles to cultivation from arable land or from permanent grass land.]

Textual Amendments

- F6** Sch. 5 para. 29A inserted (10.1.2019) by [The Agricultural Holdings \(Scotland\) Act 1991 \(Variation of Schedule 5\) Order 2019 \(S.S.I. 2019/1\)](#), arts. 1(1), **3(3)** (with art. 4)

- [^{F7}30 Application to land of soil improvers, conditioners, digestates, manure or fertiliser, whether organic or inorganic.]

Textual Amendments

- F7** Sch. 5 para. 30 substituted (10.1.2019) by [The Agricultural Holdings \(Scotland\) Act 1991 \(Variation of Schedule 5\) Order 2019 \(S.S.I. 2019/1\)](#), arts. 1(1), **3(4)** (with art. 4)

- 31 Consumption on the holding of corn (whether produced on the holding or not) or of cake or other feeding stuff not produced on the holding by horses, cattle, sheep, pigs or poultry.
- 32 Laying down temporary pasture with clover, grass, lucerne, sainfoin, or other seeds, sown more than 2 years prior to the termination of the tenancy, in so far as the value of the temporary pasture on the holding at the time of quitting exceeds the value of the temporary pasture on the holding at the commencement of the tenancy for which the tenant did not pay compensation.

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