
 STATUTORY INSTRUMENTS

1983 No. 1475

**LANDLORD AND TENANT
AGRICULTURAL HOLDINGS**
**The Agriculture (Calculation of Value for Compensation)
(Amendment) Regulations 1983**

<i>Made</i>	- - - - -	4th October 1983
<i>Laid before Parliament</i>		17th October 1983
<i>Coming into Operation</i>		14th November 1983

The Minister of Agriculture, Fisheries and Food, in relation to England, and the Secretary of State for Wales, in relation to Wales, with the advice of the committees respectively appointed by them^(a) under the provisions of section 79 of the Agricultural Holdings Act 1948^(b) and in exercise of the powers conferred by section 51(1) of the Agricultural Holdings Act 1948, and now vested in them^(a), and of all other powers enabling them in that behalf, hereby make the following regulations:—

Title, commencement and interpretation

1.—(1) These regulations may be cited as the Agriculture (Calculation of Value for Compensation) (Amendment) Regulations 1983 and shall come into operation on 14th November 1983.

(2) In these regulations “the principal regulations” means the Agriculture (Calculation of Value for Compensation) Regulations 1978^(c), and the principal regulations, the Agriculture (Calculation of Value for Compensation) (Amendment) Regulations 1980^(d), the Agriculture (Calculation of Value for Compensation) (Amendment) Regulations 1981^(e) and these regulations may together be cited as the Agriculture (Calculation of Value for Compensation) Regulations 1978 to 1983.

Application

2. These regulations shall apply in relation to the calculation of the value of improvements and other matters specified in a numbered paragraph of the Fourth Schedule to the Agricultural Holdings Act 1948 in any case where the tenancy of the outgoing tenant claiming compensation for such improvements

(a) In the case of the Secretary of State for Wales, by virtue of S.I. 1978/272.

(b) 1948 c. 63.

(c) S.I. 1978/809, amended by S.I. 1980/751 and 1981/822.

(d) S.I. 1980/751.

(e) S.I. 1981/822.

and other matters by virtue of the provisions of that Act terminates on or after the day on which these regulations come into operation.

Amendment of principal regulations

3.—(1) Part I of Schedule 1 to the principal regulations shall be amended as follows—

- (a) for paragraph 7 there shall be substituted the paragraph set out in Part I of the Schedule to these regulations;
- (b) for Tables 2, 3, 4, and 6 there shall be substituted respectively Tables 2, 3, 4, and 6 set out in Part II of the Schedule to these regulations;
- (c) for Tables 5(a), 5(b), 5(c), 5(d), 5(e), 5(f), 5(g), 5(h) and 5(j) there shall be substituted Tables 5(a) and (b) set out in Part II of the Schedule to these regulations.

(2) Part II of Schedule 1 to the principal regulations shall be amended as follows—

- (a) in paragraph 8(1)(b) and paragraph 8(3) there shall be substituted for the words “Tables 5(a)–(j)” the words “Tables 5(a) and (b)”.
- (b) in paragraph 11(1) there shall be substituted for the words “in any case exceed a sum of four pounds per sheep” the words “exceed a sum of eight pounds per sheep plus ten per cent of the market value of each sheep”.
- (c) in paragraph 12(1)—
 - (i) there shall be inserted immediately before the definition of “leys” the following words:—

“ “arable crop” does not include a ley of more than one years duration;”;
 - (ii) there shall be substituted for the definition of “the accepted proportion” the following definition:—

“ “the accepted proportion” means the area which represents the proportion which the total area of the leys on the holding would, taking into account the capability of the holding, be expected to bear to the area of the holding, excluding the permanent pasture thereon, or, if a greater proportion is provided for by or under the terms of the tenancy, that proportion”.
- (d) in paragraph 12(2)—
 - (i) for the words from the beginning to the words “as follows:—” there shall be substituted the following words:—

“In areas of the country where arable crops can be grown in an unbroken series of not less than six years, and it is reasonable that they should be grown on the holding or part thereof, the residual fertility value of the sod of the excess qualifying leys shall be calculated (subject to sub-paragraph (3) below) as follows:—”;
 - (ii) for sub-paragraphs (b) and (c) there shall be substituted the following sub-paragraphs:—

“(b) in respect of continuously maintained leys, the values specified in sub-paragraph (a) above shall be increased by £8 per

hectare for each additional growing season over three growing seasons for which the leys have been established, but such increase shall not exceed a total of £48 per hectare if any herbage was cut and removed during the last growing season before the termination of the tenancy and shall not exceed a total of £64 per hectare if the herbage was, during the last growing season, grazed only;

(c) in respect of any former ley where the first crop which has been sown in the last growing season before the termination of the tenancy has not been removed from the ground, the value shall be the value specified in sub-paragraphs (a) and (b) above according to the period for which the ley had been established before it was ploughed or otherwise destroyed and to whether the herbage was cut and removed, or grazed only, in the last growing season before the ley was ploughed or otherwise destroyed;”.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 29th September 1983.



Michael Jopling,
Minister of Agriculture, Fisheries and Food.

4th October 1983.

Nicholas Edwards,
Secretary of State for Wales.

Regulation 3

SCHEDULE

PART I

PARAGRAPH TO BE SUBSTITUTED FOR PARAGRAPH 7 OF PART I OF SCHEDULE 1 TO THE PRINCIPAL REGULATIONS.

7. Consumption on the holding of corn (whether produced on the holding or not) or of cake or other feeding stuffs not produced on the holding by horses, cattle, sheep, pigs or poultry.

(1) The values per tonne of feeding stuff consumed on the holding set out in Tables 5(a) and (b) in Part I of this Schedule shall apply in all cases where feeding stuffs are fed to the animals and poultry specified in those Tables in buildings or open yards and the open slurry is stored under average conditions.

(2) Where the conditions of storage of the open slurry are other than average, for closed slurry or farm yard manure or where the feeding stuffs are fed directly on the land the values set out in the said Tables 5(a) and (b) shall be adjusted in accordance with Table 6 set out below.

(3) For the purpose of sub-paragraph (2) above and the said Table 6, the expression "closed slurry" means slurry stored under slats or in a covered container.

PART II
TABLE 2
UNIT VALUE OF PHOSPHORIC ACID (AS P₂O₅) IN ONE PER CENT OF A TONNE OF FERTILISER

Nature of Fertiliser	After		
	One	Two Growing Seasons	Three
1. Organic forms and inorganic forms (including basic slag) but excluding rock phosphates and calcined aluminium calcium phosphate	P 158	P 79	P 39
2. 'Soft' ground rock phosphates ⁽¹⁾ applied in— (a) areas with a mean annual excess winter rainfall ⁽²⁾ of 450 mm or more (b) areas with a mean annual excess winter rainfall ⁽²⁾ of less than 450 mm (i) Permanent grassland (ii) Other crops	158	79	39
3. Other ground rock phosphates applied in— (a) areas with a mean annual excess winter rainfall ⁽²⁾ of 450 mm or more (b) areas with a means annual excess winter rainfall ⁽²⁾ of less than 450 mm	158 nil	79 nil	39 nil
4. Calcined aluminium calcium phosphate	39 nil	39 nil	39 nil

The value, if any, shall be such as may be determined in accordance with scientific evidence

Notes:

⁽¹⁾ 'Soft' ground rock phosphates in this Table means the material of that name described in Group 2(a) in Section A of Schedule 1 to the Fertilisers Regulations 1977(a).

⁽²⁾ "Mean annual excess winter rainfall" in this Table has the same meaning as in paragraph 5(3).

(a) S.I. 1977/1489, to which there are amendments not relevant to these regulations.

TABLE 3
UNIT VALUE OF POTASH (K_2O) IN ONE PER CENT OF A TONNE OF FERTILISER

Type of crops to which fertiliser is applied	After		
	One Growing Season	Two Growing Seasons	Three Growing Seasons
1. Applied to arable crops (except forage crops) and all root crops where tops are left on the land, except potatoes (see also 4 below)	p 92	p 46	p nil
2. Applied to leys, permanent grassland or forage crops which are grazed or the product cut and fed on the holding	92	46	nil
3. Applied to leys and permanent grassland the product of which is cut and removed from the holding	nil	nil	nil
4. Applied to roots (including potatoes) and forage crops which are removed from the holding	nil	nil	nil

TABLE 4
VALUE PER TONNE OF PURCHASED FARMYARD MANURE

Type of Manure	No crop off	After one growing season	After two growing seasons	After three growing seasons
Cattle (farmyard manure)	P 735	P 368	P 184	P nil
Horse (stable manure)	800	400	200	nil
Pig (farmyard manure)	770	385	193	nil
Poultry (deep litter)	1380	690	345	nil
Poultry (broiler manure)	1625	813	406	nil

UNEXHAUSTED MANURIAL VALUES OF FEEDING STUFFS PER TONNE

TABLE 5(a)

CATTLE, SHEEP AND PIGS—OPEN SLURRY

Feeding Stuff	No crop off	After one growing season		After two growing seasons	
		of arable crops (except forage crops) or of leys, permanent grassland or forage crops grazed or the product cut and fed on the holding or of root crops the tops of which are left on the land	of leys, permanent grassland, roots or forage crops where the product is removed from the holding	of arable crops (except forage crops) or of leys, permanent grassland or forage crops grazed or the product cut and fed on the holding or of root crops the tops of which are left on the land	of leys, permanent grassland, roots or forage crops where the product is removed from the holding
1. Grass hay	P 395	P 197	P 53	P 84	P 12
2. Clover hay	470	235	78	96	18
3. Dried grass	523	262	88	106	20
4. Dried lucerne	532	266	92	106	19
5. Straw	133	66	26	25	5
6. Mangels	63	31	8	14	3
7. Swedes	47	23	8	10	2
8. Turnips	47	23	8	10	2
9. Potatoes	89	44	13	19	3
10. Sugar beet pulp (dried-molassed)	309	155	40	61	4
11. Sugar beet pulp (wet-double pressed 18% DM)	62	31	8	12	1

12. Brewers grains (wet)	67	34	33	10	9
13. Field beans	407	204	139	69	37
14. Field peas	310	155	103	51	25
15. Barley	204	102	67	37	20
16. Wheat	185	92	70	33	22
17. Oats	190	95	71	32	21
18. Maize	145	72	52	25	15
19. Rice meal	203	101	80	37	26
20. Middlings/Bran	411	205	148	80	52
21. Cassava (Manioc)	70	33	21	14	7
22. Hominy chop	277	139	97	53	32
23. Locust beans	137	68	32	25	7
24. Citrus pulp	158	79	40	27	8
25. Fish meal	1422	711	642	287	252
26. Soya bean meal	615	308	184	105	43
27. Decorticated cotton cake	685	342	267	123	85
28. Undecorticated cotton cake	563	281	206	108	70
29. Linseed cake/meal	524	262	180	93	52
30. Palm kernal cake/meal	265	133	107	45	32
31. Coconut cake/meal	521	261	135	103	41
32. Decorticated groundnut cake	502	251	173	76	37
33. Rapeseed cake/meal	607	303	222	108	67
34. Meat meal	1325	663	628	276	259
35. Meat and bone meal	1711	855	768	368	324
36. Dried skimmed milk	601	300	196	117	65
37. Skimmed milk (liquid)	59	29	19	11	6
38. Liquid whey	29	14	7	6	3
39. Liquid urea	452	226	70	81	3
40. Urea	1014	507	507	0	0
41. Compounded cake: for each 1%CP	20	10	8	4	3

UNEXHAUSTED MANURIAL VALUES OF FEEDING STUFFS PER TONNE
TABLE 5(b)

Feeding Stuff	POULTRY—OPEN SLURRY				
	No crop off	After one growing season		After two growing seasons	
		of arable crops (except forage crops) or of leys, permanent grassland or forage crops grazed or the product cut and fed on the holding or of root crops the tops of which are left on the land	of leys, permanent grassland, roots or forage crops where the product is removed from the holding	of arable crops (except forage crops) or of leys, permanent grassland or forage crops grazed or the product cut and fed on the holding or of root crops the tops of which are left on the land	of leys, permanent grassland, roots or forage crops where the product is removed from the holding
1. Dried grass	P 493	P 213	P 39	P 106	P 20
2. Field beans	371	138	74	69	37
3. Field peas	284	102	50	51	25
4. Barley	189	75	40	37	20
5. Wheat	171	66	44	33	22
6. Oats	173	65	41	32	21
7. Maize	133	51	30	25	15
8. Rice meal	188	73	52	37	26
9. Middlings/Bran	384	161	104	80	52
10. Cassava (Manioc)	65	28	13	14	7
11. Fish meal	1360	574	505	287	252
12. Soya bean meal	570	210	87	105	43
13. Decorticated cotton cake	637	246	171	123	85
14. Undecorticated cotton cake	526	216	141	108	70
15. Linseed cake/meal	486	186	104	93	52
16. Palm Kernel cake/meal	245	89	63	45	32
17. Decorticated groundnut cake	456	152	74	76	37
18. Rapeseed cake/meal	561	215	134	108	67
19. Meat meal	1280	552	518	276	259
20. Meat and bone meal	1643	735	648	368	324
21. Compounded cake: for each 1% CP	19	8	5	4	3

TABLE 6

ADJUSTMENTS FOR PREPARATION AND STORAGE OF EFFLUENT

Method of preparation and storage	Adjustment to open slurry (average conditions) tables
Closed slurry under average conditions	Add 20 per cent
Closed slurry under ideal conditions	Add 30 per cent
Farmyard manure under average conditions	Add 40 per cent
Farmyard manure under ideal conditions	Add 50 per cent
Slurry under adverse conditions	Subtract up to 50 per cent depending on conditions
Farmyard manure under adverse conditions	Add up to 30 per cent depending on conditions
Feedingstuffs fed directly on the land	Add 35 per cent

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations amend the Agriculture (Calculation of Value for Compensation) Regulations 1978 as previously amended by the Agriculture (Calculation of Value for Compensation) (Amendment) Regulations 1980 and 1981. The principal changes are as follows:—

In Part I of Schedule 1 to the principal regulations—

(1) the figures in tables 2, 3 and 4 (relating to the residual values of phosphoric acid, potash and purchased farmyard manure) have been updated;

(2) the method of calculating the unexhausted manurial values of feeding stuffs has been revised and simplified. Two new Tables, 5(a) Cattle, Sheep and Pigs—open slurry and 5(b) Poultry—open slurry, replace Tables 5(a)–(j) and a new version of Table 6 sets out adjustments for preparation and storage of effluent;

(3) paragraph 11(1) has been amended to include a new method of calculating the acclimatisation value of hefted sheep;

(4) in paragraph 12(1) a definition of “arable crop” has been inserted. The definition of “the accepted proportion” (which definition supplies a basis for calculating the amount of the excess qualifying leys which qualify for compensation under paragraph 12(2)) has now been amended to refer to the proportion which the area of leys on the holding would be expected to bear to the area of the holding, taking into account the capability of the holding;

(5) paragraph 12(2) now relates to a holding which is in an area of the country where arable crops can be grown in an unbroken series of not less than six years. In paragraph 12(2)(b) the words “in aggregate” have been replaced by “a total of”: the first part of paragraph 12(2)(c) has been expanded to ensure that it applies to any former ley where the first crop which has been sown in the last growing season before the termination of the tenancy has not been removed from the ground.

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