



Agricultural Holdings (Amendment) Act 1990

1990 CHAPTER 15

An Act to amend Case B in Part I of Schedule 3 to the Agricultural Holdings Act 1986; and for connected purposes.

[29th June 1990]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) Schedule 3 to the Agricultural Holdings Act 1986 shall be amended as follows.

Agricultural
Holdings Act 1986
(Amendment).

(2) In Part I for Case B there shall be substituted—

1986 c. 5.

“CASE B

The notice to quit is given on the ground that the land is required for a use, other than for agriculture—

- (a) for which permission has been granted on an application made under the enactments relating to town and country planning,
- (b) for which permission under those enactments is granted by a general development order by reason only of the fact that the use is authorised by—
 - (i) a private or local Act,
 - (ii) an order approved by both Houses of Parliament, or
 - (iii) an order made under section 14 or 16 of the Harbours Act 1964,

- (c) for which any provision that—
- (i) is contained in an Act, but
 - (ii) does not form part of the enactments relating to town and country planning,
- deems permission under those enactments to have been granted,
- (d) which any such provision deems not to constitute development for the purposes of those enactments, or
- (e) for which permission is not required under the enactments relating to town and country planning by reason only of Crown immunity,
- and that fact is stated in the notice.”

(3) In Part II after paragraph 8 there shall be inserted—

“8A.—(1) For the purposes of Case B—

- (a) ‘general development order’ means an order under section 59 of the Town and Country Planning Act 1990 which is made as a general order, and
- (b) ‘the enactments relating to town and country planning’ means the planning Acts (as defined in section 336(1) of the Town and Country Planning Act 1990) and any enactment amending or replacing any of those Acts.

(2) In relation to any time before the commencement of Part III of the Town and Country Planning Act 1990, sub-paragraph (1) above shall have effect as if—

- (a) in paragraph (a), for ‘59’ there were substituted ‘24’ and for ‘1990’ there were substituted ‘1971’, and
- (b) in paragraph (b), for the words from ‘planning Acts’ onwards there were substituted ‘repealed enactments (as defined in section 1(1) of the Planning (Consequential Provisions) Act 1990)’.”

Savings.

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

- (a) a notice to quit an agricultural holding or part of an agricultural holding given before the commencement of this Act, or
- (b) any application, arbitration or other proceedings which relate to, or arise out of, such a notice.

1986 c. 5.

(2) In this section “agricultural holding” has the same meaning as in the Agricultural Holdings Act 1986.

Citation,
commencement
and extent.

3.—(1) This Act may be cited as the Agricultural Holdings (Amendment) Act 1990.

(2) This Act shall come into force at the end of the period of one month beginning with the day on which it is passed.

(3) This Act extends to England and Wales only.

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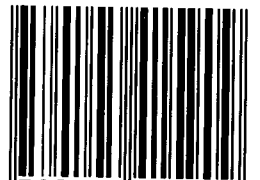
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