



Agricultural Holdings (Scotland) Act 2003

2003 asp 11

PART 5

MISCELLANEOUS AMENDMENTS TO THE 1991 ACT

67 Notices to quit

- (1) In section 22 (restriction on operation of notices to quit) of the 1991 Act, in paragraph (b) of subsection (2), for the words from “has” to the end there is substituted “requires to be obtained, and has been obtained, under the enactments relating to town and country planning”.
- (2) In section 24 (consents for the purposes of section 22) of that Act—
 - (a) in subsection (2)—
 - (i) the words from “that” in the second place where it appears to the end become paragraph (a); and
 - (ii) after that paragraph there is added “; or
 - (b) where the notice is to quit the whole of the holding, that use of the land for the purpose for which the landlord proposes to terminate the tenancy would not create greater economic and social benefits to the community than would exist were the tenancy not terminated.”; and
- (b) after subsection (4) there is added—
 - “(5) For the purposes of subsection (2)(b) above—
 - (a) “the community”—
 - (i) shall be defined by reference to the postcode unit (or postcode units) pertaining to the holding and the vicinity of the holding; and
 - (ii) comprises the persons from time to time resident in that postcode unit (or any of those postcode units);
 - (b) “economic benefits” shall be defined by reference to an increase, or the potential for increase, in employment or income;
 - (c) “social benefits” shall be defined by reference to the likely—

Status: This is the original version (as it was originally enacted).

- (i) sustaining of, or increase in, the population; and
 - (ii) improvement of amenities and services.
- (6) In subsection (5)(a) above, “postcode unit” means an area, determined by the Registrar General for Scotland, in relation to which a single postcode is used to facilitate the identification of postal service delivery points in the area.
- (7) The Land Court shall, for the purposes of its determining the matters referred to in subsection (2)(b) above, have regard to such representations as it considers may assist in its consideration of those matters.”.