

News Release
Scottish Tenant Farmers Association
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STFA CALLS FOR WIDER DEBATE ON TENANCY REFORM

In responding to the consultation on the bill amending agricultural holdings legislation STFA has welcome the next stage in the long journey to allow grandchildren to succeed grandparents into the family tenancy and the outlawing of upward only or landlord only initiated rent reviews. STFA has also renewed calls for a thorough review of tenancy legislation particularly in regard to rent review provisions.

In its response the association said: "STFA has been campaigning for several years to make the necessary changes which will allow grandchildren to succeed grandparents into a tenancy and was bitterly disappointed that they could not be included in the Order. The Scottish Government is to be commended for its swift action in tackling the issue. The necessary alteration to the definition of a "near relative" has the support of all stakeholders and it is very welcome that this logical and commonsense change is now taking place."

STFA is also of the view that the bill should clarify that this change allowing a grandchild to succeed a grandparent into a tenancy should have immediate effect once the bill has been passed. Thus any notices served to transfer a lease after the Bill comes into force will be effective even though the tenant had died before the commencement of the new Act.

Commenting on the draft bill chairman Angus McCall said: "This bill is essentially a tidying up operation and it is important that it proceeds through parliament without hindrance or delay. There is much to do to make the current legislation fit for a changing world and a thorough and considered review of the legislation will be necessary. This is not the time and place to do so.

"The Scottish Government is committed to review the operation of tenancy legislation within the next couple of years and we will be holding them to that promise. There are significant defects and anomalies in the current legislation which are hindering tenant farming businesses. These obstructions must be dealt with as a matter of priority. It cannot make sense that a simple matter of negotiating a farm rent can potentially involve both sides in a procedure which can take years, cost hundreds of thousands of pounds and cause families untold stress and anguish. We must have change allowing landlords and their tenants to work together in harmony and partnership.

"This short bill making minor changes to the legislation should not be seen as closing the door on tenancy reform, rather as a stepping stone on the path to bring tenancy law up to date. I am pleased that Cabinet Secretary Richard Lochhead has recently reiterated his resolve to address these issues and I hope that the industry will accept the challenge leading to a wider discussion as to the shape of the tenanted sector in years to come. This is too big a matter to be restricted to the hallowed halls of academia and the Tenant Farming Forum whose role is in agreeing the detail."

For further details and for copy of STFA response to consultation contact:

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