Submission from MJ McCall

Consultation on Agricultural Holdings (Amendment) (Scotland) Bill

1. Succession by near relatives – fully support.

2. Rent reviews proposal to outlaw upward only and landlord initiated rent reviews only – fully support.

3. Also changes to VAT with regard to variation – fully support clarification.

4. FURTHER CONSIDERATIONS:

Absolute Right To Buy (ARTB) firmly believe in right to buy for '91 Tenancies and those prior, but not short limited duration tenancies (SLDTs) or limited duration tenancies LTDs or Partnerships for the following reasons:

a) Few '91 tenancies after mid 1970s. Almost all '91 tenants have now been in occupation for at least 30 yrs therefore the farm has never been vacant for at least a generation, so if tenant was to buy estate would be fully compensated the valuation would be that of land with sitting tenant.

b) '91 tenants are often put under pressure so landlord can realize full capital values.

c) Expense of settling numerous disputes is prohibitive and is weighted in favour of the party with most cash, more often than not, the landlord. Too much money which could have been spent on agriculture has to go to lawyers and professional advisors.

d) Diversification and improvements when you have an unhelpful estate and no successor the temptation is to stop any diversification or improvements as the cost of retrieving would be prohibitive.

e) Many other problems between '91 tenants and landlords i.e. resolving disputes through Land Court – slow cumbersome and expensive, Rent Reviews should be based on capability of farm rather than comparables. Landlords investment still difficult even though legally obliged to etc. All these problems which have been with us for years could be done away with the ARTB and all efforts could be concentrated on making LDTs and SLDTs fairer and more equitable.