**AMNESTY AGREEMENT FOR THE HOLDING KNOWN AS………………………………………………………………………………………….**

**SCHEDULE 1**

**Schedule of Improvements and Other Works by the Tenant and the Landlord on the Holding**

**With reference to accompanying plans (Appendix 1), photographs (Appendix 2) and documents (Appendix 3)**

**Notes**

1. **This Amnesty Agreement is being used to record the works on and to the holding qualifying within Schedule 5 of the Agricultural Holdings Act 1991 (under Paragraph 1 of the model Amnesty Agreement) and completed by 12th June 2017.**
2. **It can also be used to record:**
* **later works and those, outwith the Items listed in Schedule 5, that are accepted under the Amnesty as Tenant’s Improvements (under Paragraph 2(i) of the model Amnesty Agreement)**
* **other items that are agreed to be treated as tenant’s fixtures with tenant offering them to the landlord before being able to remove them (under Paragraph 2(ii) of the model Amnesty Agreement)**
* **tenant’s moveable property (under Paragraph 2(iii) of the model Amnesty Agreement)**
* **landlord’s confirmation of consent for non-agricultural use and sub-letting (under Paragraph 2(iv) and/or 2(v) of the model Amnesty Agreement)**

**That status is for discussion between the parties and, when agreed, is to be recorded in the righthandmost column of the table, with illustrative answers here shown in italics.**

1. **The compensation value of these items is not the subject of this agreement but left to be determined when this tenancy finally ends.**
2. **This agreement can form part of a Statement of Facts where such a document will assist a rent review.**

**Steading**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Building****Number on Plan** | **Identification****And Date Works Done** | **Description/Details** | **Photographs** | **How It Was Funded** | **End of Tenancy Status****(with Schedule 5 and Amnesty Agreement references)** |
| 2 | Steel Portal Frame Building 100 ft x 60ft Erected in 1982 | The shed (including 2a) comprises * a cattle court on the north elevation with a central feed passage, concrete floor, water and electricity.
* a grain store with a concrete floor, water and electricity.

The two areas are divided by six concrete panels with RSJ beams.  | 1 to 5 | 1/3 paid for by Estate, 1/3 paid for by Tenant, 1/3 grant funded.  | *Half tenant improvement**(Within Item 18, Buildings)**Para 1 of the Amnesty Agreement* |
| 2a | Extension to Building 2 with an 80ft x 60ft building added in the 1986 by the Tenant. | Additional grain handling and storage area | 6 to 11 | Tenant paid for it | *Tenant improvement.**(Within Item 18, Buildings)**Para 1 of the Amnesty Agreement* |
| 2b | An elevator with conveyor Installed by tenant in 2004  | Belt changed in 2017 | 12 to 13 | Tenant paid for it | *Tenant’s improvement**(Within Item 20, Barn Machinery)**Para 1 of the Amnesty Agreement* |
| 2c | Grain dryerInstalled with protective shed outside the building in 2011 | 15t/hour drying capacity. | 14 to 16 | Tenant paid for it | *Tenant’s improvement**(Within Item 20, Barn Machinery)**Para 1 of the Amnesty Agreement* |
| 2d | Solar PanelsInstalled on roof of Building 2a in 2011  | 49 kW capacityWith benefit of a 25 year FiT agreement, currently 34p, yielding £15,000 pa.  | 17 to 18 |  | *Tenant’s improvement* *(Within Item 17, Provision of Electric Power/Generating Plant)**Para 1 of the Amnesty Agreement* |
| 3 | Former Straw/Hay shed provided in the tenancy.Tenant altered it to create a cattle court.  | The Tenant has installed concrete panel walls, feed barriers, gale breakers and has added lighting with LED lights. | 19 to 26 | The Tenant paid for alterations  | *The concrete panel walls are cemented in place and so agreed to be tenant’s improvements**(Within Item 18, Buildings)**Para 1 of the Amnesty Agreement**The LED lighting is a tenant’s improvement**(Within Item 17, Electric Lighting)**Para 1 of the Amnesty Agreement**The feed barriers and gale breakers are tenant’s moveables**Para 2(iii) of the Amnesty Agreement* |
| 4 | 100ft x 40ft open sided cattle shed erected in 2015 | Steel portal frame with a hardcore floor, mains water, electrics, LED lights, concrete panels, livestock barriers and Galebreaker blind.The tenant gave the landlord forward written notification of the work on 30th September 2014 | 27 to 32 | Tenant funded | *Tenant’s improvement**(Within Item 18, Buildings)**Para 1 of the Amnesty Agreement* |
| 5 | 60ft x 20 ft implement shedErected in 1986 | Steel frame with cladding under corrugated metal roof | 33 to 34 | Landlord funded | *Nil* |
| 6 | 100ft x 30 ft lambing polytunnel | With water, electrics and LED lights. | 34 to 37 | Tenant funded | *Tenant’s fixture* *Para 2(ii) of the Amnesty Agreement* |
| 7 | Landlord’s 40ft x 30ft traditional stone byre sublet by tenant | Sublet for car storage since 2013 | 38 to 39 |  | *Landlord hereby confirms consent to that subletting**Paras 2(iv) and (v) of the Amnesty Agreement* |

**Cottage 1**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Building Number on Plan** | **Identification** | **Description/Details** | **Photographs** | **How It Was Funded** | **End of Tenancy Status****(with Schedule 5 and Amnesty Agreement references)** |
| 8 | Improvements to heating system (2016)Improvement to kitchen (2011)Living Room and kitchen (2013)Full electrical re-wiring(2013)Double glazing throughout (2013) | 6 radiators. New fitted kitchenNew ceiling  |  | Tenant fundedLandlordLandlordEach party funded half Each party funded half | *Tenant’s improvement**(Within Item 18, Buildings)**Para 1 of the Amnesty Agreement**Nil**Nil**Should be landlord’s work of repair (here necessarily to a modern standard), so half is tenant’s improvement (Within Item 23, Tenant Doing Landlord’s Works and Item 17 (Electric Power))**Para 1 of Amnesty Agreement**Should be landlord’s work of repair (here necessarily to a modern standard), so half is tenant’s improvement (Within Item 23 and Item 18 (alteration of buildings))**Para 1 of Amnesty Agreement* |

**Cottage 2**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Building Number on Plan** | **Identification** | **Description/Details** | **Photographs** | **How It Was Funded** | **End of Tenancy Status****(with Schedule 5 and Amnesty Agreement references)** |
| 9 | Improvement to kitchen (2015)Bathroom (2015) | New fitted kitchenAdded new shower  | 40 to 4243 | Tenant fundedTenant funded | *Tenant’s improvement**(Within Item 18, Buildings)**Para 1 of the Amnesty Agreement**Tenant’s improvement**(Within Item 18, Buildings; Item 12 Water for Domestic Purposes)**Para 1 of the Amnesty Agreement* |

**Farmhouse**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Building Number on Plan** | **Identification** | **Description/Details** | **Photographs** | **How It Was Funded** | **End of Tenancy Status****(with Schedule 5 and Amnesty Agreement references)** |
| 10 | Extension to houseDone in 2008Improvements to heating system (2016)Improvements to kitchen (2012)Bathroom (2012)Living room (2012)Use for bed and breakfast | Conversion of part of adjoining traditional steading to create 2 additional bedrooms and a bathroom. 10 radiators.New fitted kitchen and oil-fired Aga. New bathroom suite (sink, toilet and shower)Wood burning cassette stove in the living Room. |  | LandlordTenant funded, replacing earlier system installed by tenant’s father LandlordLandlordLandlord | *Nil**Tenant’s improvement**(Within Item 18, Buildings)**Para 1 of the Amnesty Agreement**Nil**Nil**Nil**Landlord’s consent confirmed for tenant’s bed and breakfast operation using three bedrooms in the farmhouse.**Para 2(iv) of the Amnesty Agreement* |

**Outside Works**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Number on Plan** | **Identification** | **Description/Details** | **Photographs** | **How It Was Funded** | **End of Tenancy Status****(with Schedule 5 and Amnesty Agreement references)** |
| 11 | Concrete PAD required for grain storage/handlingReplaced in 2004. |  | 43 to 44 | Tenant funded | *Tenant’s Improvement* *(Within Item 18, Yards)**Para 1 of the Amnesty Agreement* |
| 12 | Biomass boiler with fuel storeInstalled in 2016 | 75kW heating farmhouse and the two cottages | 46 to 48 | Tenant funded Benefit from Renewable Heat Incentive (RHI) agreement commenced 2016 | *While outside Schedule 5, landlord and tenant agree it will be treated as though it were a tenant’s improvement* *Para 2(i) of the Amnesty Agreement* |
| Field 7 | Field Drainage1976 | 15 acres of underdrainage of field formally rough grazing, now productive silage ground.Tenant holds the plan. |  | 1/3 funded by landlord1/3 funded by tenant1/3 funded by grant | *Half agreed to be tenant’s improvement**(Within Item 9, Land Drainage)**Para 1 of the Amnesty Agreement* |
| Red line ARed line BRed line CRed line D | GatesMarch stock proof fence round fields 7-15March stock proof fence to field 2Fields 2 and 3 - internal stock proof fencingField 6 – Electric fencing to protect dyke | 11 galvanised field gates marked with brown crosses on the plan2257m of post and three strands of barbed wire replacing previous fencing675m of post and three strands of barbed wire450m of post and three strands of barbed wire220m single scare wire with posts | 49 to 5960 to 6364 to 6667 to 68 | Tenant paid allTenant paid but work was done under Post Lease Agreement Tenant paid 50%. Outside the Post Lease AgreementTenant paid allTenant paid all | *Should be landlord’s work of* *repair, so tenant’s improvement* *(Within Item 23; Item 13 Gates)**Para 1 of the Amnesty Agreement**Nil as repair undertaken under Post Lease Agreement**Should be landlord’s work of repair so half is tenant’s improvement* *(Within Item 23)**Para 1 of the Amnesty Agreement**New work - Tenant’s Improvement* *(Within Item 13, Permanent Fencing)**Para 1 of the Amnesty Agreement**New work - Tenant’s Improvement* *(Within Item 13, Permanent Fencing)**Para 1 of the Amnesty Agreement* |
| 13 | Pond in Field 11Created 2015 | Made as part of 10 year agri-environment agreement from 2015 paying £2,000 pa for the pond | 69 | Tenant did the physical works to create the pond  | *Tenant’s improvement**Within Item 12 Making of Ponds*  |
| 14 | Field 10Use for lettings for horse grazing |  |  |  | *Landlord’s consent confirmed for tenant’s sub-letting for horse grazing**Para 2(iv) and (v) of the Amnesty Agreement* |

**APPENDIX 1**

**Illustrative Plans**

**Notes:**

1. **For the steading, use an enlarged plan of the steading so buildings can be identified clearly**
2. **For the fields, use the IACS/LPIS plan unless there is another good plan available**
3. **Show Hedges in green**

**Fence lines in red**

**Water supplies and troughs in blue**

**Tracks and roads in brown**

**Gates with a brown cross (X)**

**APPENDIX 2**

**Photographs**

**Note – Record the date(s) when the photographs taken as they are a record of how maters looked on that date.**

**For example – These photographs were all taken on 25th May 2018**

**APPENDIX 3**

**Supporting Documents**

**Note – This Appendix can be used to list and attach or include any supporting documents that the Landlord and Tenant think helpful to this record and its future use**