



Tribiwnlys Tir
Amaethyddol
Cymru

Agricultural
Land Tribunal
Wales

Annual Report 2012 - 2013

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Foreword

By the Chairman

James Buxton

This is my first annual report as Chairman of the Agricultural Land Tribunal for Wales (ALT Wales). The report covers the period April 2012 – March 2013. I hope you find the report informative and user friendly.

We aim to ensure that the Tribunal serves the interests of all those in Wales having an agricultural or drainage dispute falling within our jurisdiction, by dealing with any such dispute both efficiently and effectively. Specifically we make every effort to ensure that all those involved in the dispute ultimately feel that the dispute has been fairly resolved within as short a timescale as is reasonable.

As can be seen from the statistics set out in the Report, a wide range of Applications have been made to the Tribunal during the past year, principally relating to the third party use of land. The feedback that we have received indicates that in those cases in which determination by the Tribunal has proved to be necessary, the parties having failed to resolve their differences between themselves, those concerned have found the Tribunal's careful and judicial approach to have been consistent and satisfactory.

Any questions or comments arising as to any aspect of the workings of the Tribunal, or as to the contents of the Report, are most welcome and should in the first instance be addressed to the Tribunal Secretary.

Section 1 – About Us

In this section, our:

- Background
- Overview of procedures
- Members of the Tribunal
- Contacting the Tribunal

Background

The Agricultural Land Tribunal for Wales (ALT Wales) plays an important role in determining disputes and other issues between agricultural landlords and tenants arising from tenancy agreements held under the Agricultural Holdings Act 1986. The ALT Wales also determines disputes relating to the drainage of agricultural land under the Land Drainage Act 1991.

The ALT Wales is an independent statutory body with jurisdiction for the geographical area of Wales as laid down in the Agricultural Land Tribunals (Area) Order 1982 (SI 1982/97).

Overview of procedures

The overriding aim of the ALT Wales is to ensure that all parties are able to have their cases presented and to have them considered as fully and fairly as possible.

At a Hearing the tribunal panel is composed of a legally qualified Chairman and two Lay Members. Lay Members have been appointed for their general expertise and knowledge.

Tribunal Hearings will normally be held in public and take place near to the land in question.

Hearing arrangements take account of any special requirements of those attending, such as; wheelchair access, hearing assistance, interpreter etc.

There is no cost for making an application to the Tribunal. Furthermore neither party is required to pay for the cost of the report of an Independent Expert in cases in which this is obtained in order to assist the Tribunal.

Members of the Tribunal

The Lord Chancellor is responsible for the appointment and re-appointment of the Chairman, Deputy Chairman and Lay Members. Appointments are made following the advertisement of vacancies and competitive interview by the Judicial Appointments Commission.

- Chairman** The Chairman has responsibility for the overall judicial administration of the Tribunal.
- Lay Members** Lay Members have a wide range of relevant knowledge and experience which they bring to each Hearing. They sit on the Land Drainage, Farmer or Landowner Panels.
- Secretary** The day-to-day administration is largely delegated to the Secretary who deals with all the preliminary paperwork and the processing of applications to the Tribunal. The Secretary consults the Chairman on any legal points arising during the preliminary pre-hearing stages of the proceedings and passes on the Chairman’s rulings and Directions in writing to the parties. The Secretary acts as a point of contact for the Chairman, Members and parties and attends all Hearings in order to ensure that proceedings run smoothly.

Chairman
James Buxton

Deputy Chairman
Simon Duffy

Land Drainage Panel
5 Members

Farmer Panel
12 Members

Landowner Panel
10 Members

Appointments

Six Lay Members were appointed to the Land Drainage, Farmer and Landowner panels in February 2013.

Training

Induction training for new members was held in February 2013.

A full members' training conference was held in February 2013. Both events received positive feedback from members.

Contacting the Tribunal

To contact the Secretary to the ALT Wales:

Tribunal Address: Government Buildings

Spa Road East

Llandrindod Wells

Powys

LD1 5HA

Tribunal Helpline: 01597 829809

Tribunal Fax: 01597 829801

Tribunal E-mail: altwales@wales.gsi.gov.uk

Section 2 – Performance and Progress

In this section, our:

- Numbers and statistics
- Reviews and onward appeals
- Achievement against key performance indicators
- Complaints

Numbers and Statistics

A Tribunal year runs from April to March.

The following statistics are collated:

- number of applications received and registered
- type of application received and registered
- number of applications finalised
- outcome of applications

Table 2.1 Number of Applications Received and Registered 2012-2013

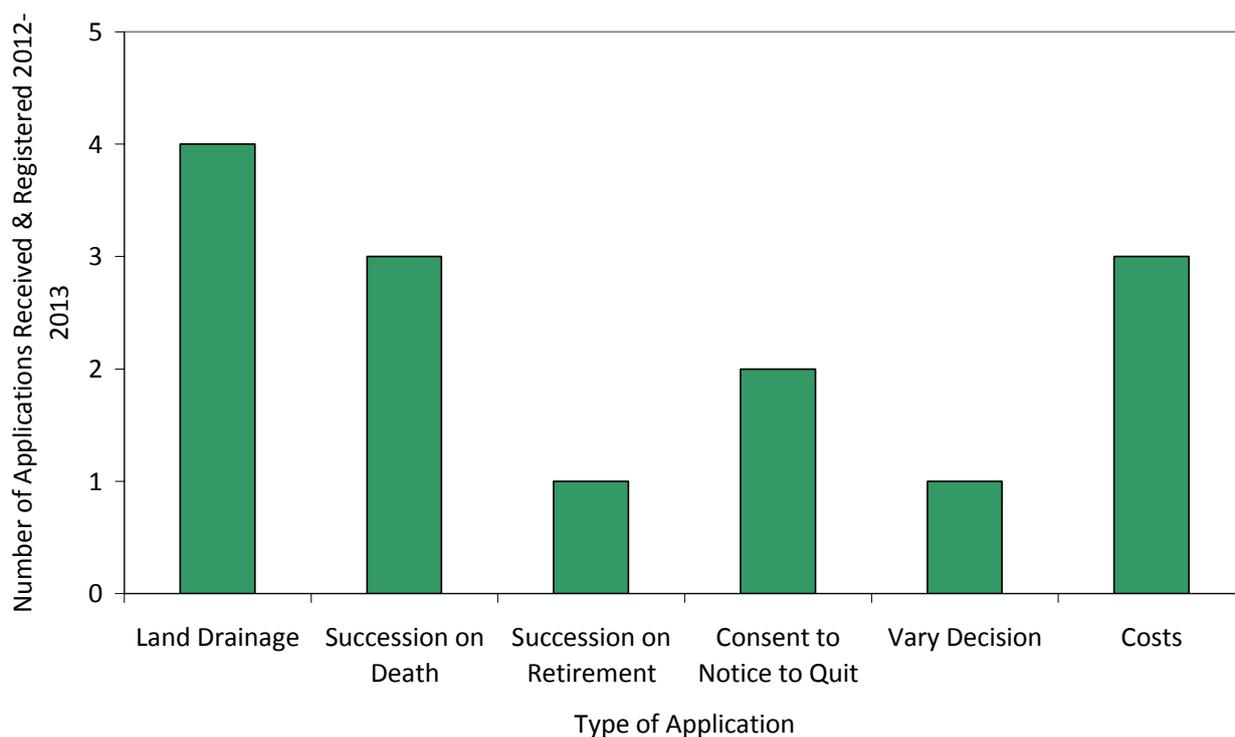


Table 2.2 Number of Applications Received and Registered by Year and Type of Application

Type of Application	Number of Applications Received and Registered		
	2012-2013	2011-2012	2010-2011
Land Drainage	4	3	3
Succession on Death	3	5	6
Succession on Retirement	1	1	3
Consent to Notice to Quit	2	2	1
Certificate of Bad Husbandry	0	0	1
Consent to Long Term Improvements	0	0	1
Fixed Equipment	0	1	0
Vary Decision	1	1	0
Costs	3	2	0
Vary Costs	0	0	0
Total	14	15	15

Table 2.3 Number of Applications Finalised by year

A finalised case is an application which has been completed, either through:

- withdrawal by the applicant,
- a Hearing whereby the Tribunal decide to dismiss or uphold the application,
or
- Consent Order issued by the Tribunal.

Type of Application	Number of Applications Finalised (includes carried over from 2011-2012)		
	2012-2013	2011-2012	2010-2011
Land Drainage	5	5	2
Succession on Death	4	12	8
Succession on Retirement	0	3	4
Consent to Notice to Quit	1	2	2
Certificate of Bad Husbandry	1	0	0
Consent to Long Term Improvements	0	0	1
Fixed Equipment	0	0	0
Vary Decision	1	1	0
Costs	3	1	0
Vary Costs	1	0	0
Total	16	24	17

Table 2.4 Applications finalised in 2012-2013 by Outcome

Withdrawn Consent Order Dismissed Upheld Carried Forward

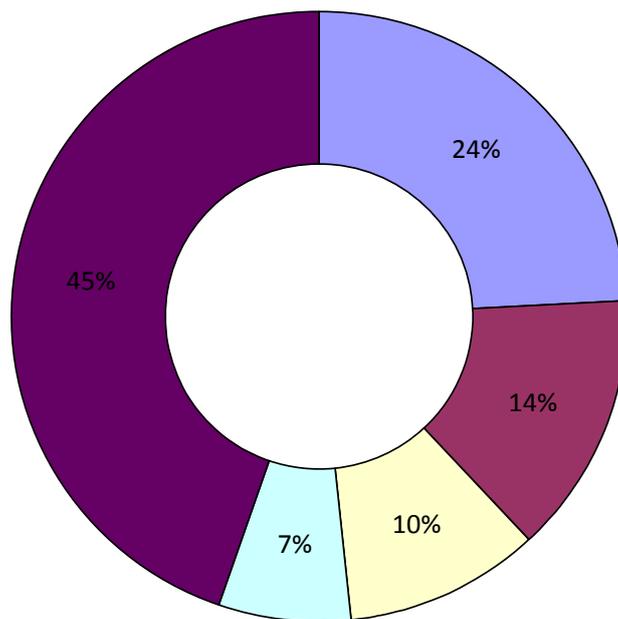


Table 2.5 Applications in 2012-2013 by Type of Case and Outcome

Type of Application	Outcome (includes carried over from 2011-2012)				
	Withdrawn	Consent Order	Dismissed	Upheld	Carried Forward
Land Drainage	2	3	0	0	3
Succession on Death	3	1	0	0	6
Succession on Retirement	0	0	0	0	1
Consent to Notice to Quit	1	0	0	0	3
Certificate of Bad Husbandry	1	0	0	0	0
Consent to Long Term Improvements	0	0	0	0	0
Fixed Equipment	0	0	0	0	0
Vary Decision	0	0	0	1	0
Costs	0	0	2	1	0
Vary Costs	0	0	1	0	0
Total	7	4	3	2	13

Hearings

During 2012-2013, 5 applications proceeded to Hearing (which included a site visit):

Succession on Death	1 Hearing day
Land Drainage	1 Hearing day
Land Drainage	1 Hearing Day
Fixed Equipment	2 Hearing days

There were also 2 telephone conferences which took place:

Consent to Notice to Quit Directions

Application to vary Tribunal Decision

Reviews and onward appeals

Applications for a review of a Tribunal decision can be made by parties on limited grounds. Over the period of this report, no applications were made.

Parties may request the Tribunal to refer their case to the High Court if they think that the Tribunal’s decision is wrong on a point of law. Over the period of this report, no requests for referral were made.

Achievement against key performance indicators

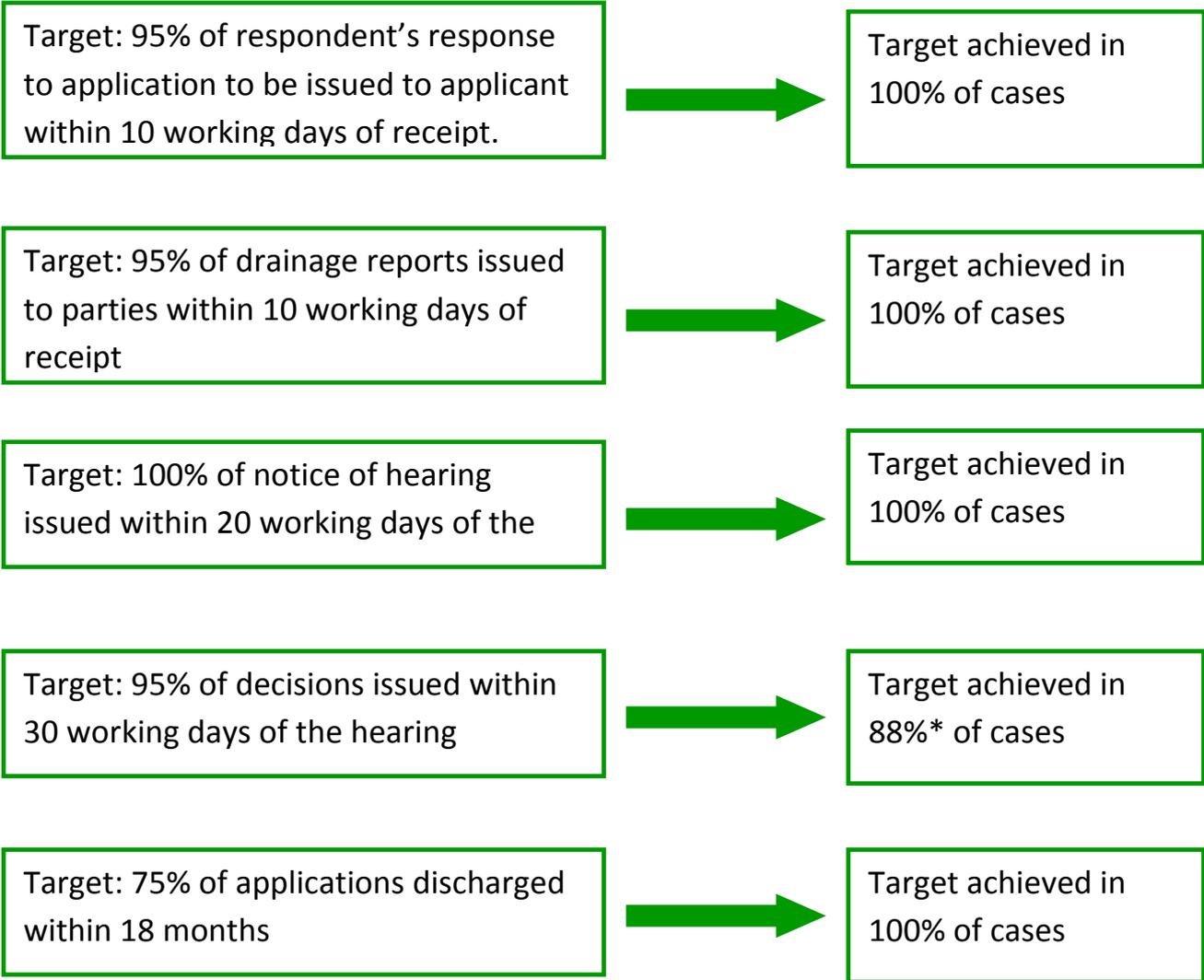
To monitor how effectively services are delivered, we have key performance indicators aimed at measuring two key aspects of our business; the speed of our service and the quality of service through customer satisfaction.

To measure the speed of our service, we have a series of primary performance indicators based on the time taken to process an application – from receipt to the Hearing or disposal.

To measure customer satisfaction, we used an indicator that is derived from periodic customer surveys.

Speed of our service





* Target not met for 1 case. This was due to the complexity of the decision and other Tribunal case priorities. The decision was issued 5 days after the target date.

Complaints

The Tribunal received no formal complaints during the course of the year.

Section 3 – Our Customers

In this section, our:

- Customer satisfaction survey

Customer satisfaction survey

The Tribunal strives to improve customer service delivery and aim to put our customers at the heart of everything we do.

During 2012-2013 the Tribunal established a customer satisfaction survey. The survey results enable us to gain a better understanding of our customers' needs and give us a valuable insight into what the Tribunal is doing well, as well as highlighting those areas where the Tribunal needs to improve.

We received 10 completed forms during 2012-2013. Of those:

- 100% of customers said the Tribunal was helpful when handling telephone enquiries, that we responded quickly and that they were satisfied with the information received;
- 100% of customers agreed that the Tribunal processed their case efficiently.

Section 4 – Business Priorities

In this section, our:

- Business priorities for 2013-2014

It is important that the Tribunal continues to develop in order to deliver the best possible service for our users. This section is about how the Tribunal will build on its achievements through focusing on business priorities and our commitment to our users.

Business Priorities 2013-2014

- develop the Tribunal Website so that it is a more effective tool for users
- develop the stakeholder feedback system
- continue induction training of new Tribunal Members

Section 5 – Expenditure

In this section, our:

- Expenditure for 2012-2013

Expenditure for 2012-2013

CONTENT	AMOUNT
Chairman Fees and Expenses	£21,000.00
Hearings/Training	£5,000.00
Members' Expenses	£5,000.00
Legal Fees	£100.00
TOTAL	£31,100.00

* rounded to the nearest £1,000