



Tribiwnlys Tir
Amaethyddol
Cymru

Agricultural
Land Tribunal
Wales

Annual Report

2013 – 2014

July 2014

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Foreword

This is the second Annual Report of the Agricultural Land Tribunal for Wales, the report covering the period from April 2013 to March 2014.

During this year, the workload of the tribunal has increased and the different types of case currently pending reflect the variety of disputes in which those occupying agricultural land in Wales may be involved.

We consider any dispute that falls within our jurisdiction which in every case we will ensure is dealt with efficiently and as quickly as possible. Our aim in all cases is to ensure that those involved in a dispute regard the tribunal as having fairly and effectively resolved it.

We welcome to the tribunal the new panel members recruited this year. They were appointed following a rigorous selection process and I am delighted that we now have the benefit of their expertise and agricultural knowledge.

Our deputy chairman, Simon Duffy, retires in May 2014, following his service to the tribunal over many years. I would like to thank him for his services to the tribunal.

We look forward to continuing our role in the coming year as a principal forum for the resolution of disputes involving agricultural land in Wales.

Any questions or comments arising as to the contents of the report are most welcome and should in the first instance be addressed to the tribunal secretariat.



Section I – About Us

In this section:

- **Background**
- **Overview**
- **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 tribunal with jurisdiction for the geographical area of Wales as laid down in the Agricultural Land Tribunals (Area) Order 1982 (SI 1982/97).

Overview

The overriding aim of the ALT Wales is to;

- provide a high performing and cost effective customer service for tribunal users and its members,
- ensure that all aspects of the tribunal's work are administered in such a way as to achieve fair, independent and timely adjudication, and
- operate within the legislative framework applicable in Wales.

The tribunal is committed to providing an equally high performing equivalent service for both Welsh and English speakers who use the tribunal.

Regulations governing the tribunal's procedures are contained in the following legislation:

- The Agricultural Land Tribunal (Area) Order 1982,
- The Land Drainage Act 1991, and
- The Agricultural Land Tribunal (Rules) Order 2007.

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 where it is obtained in order to assist the tribunal.

At a tribunal hearing, the tribunal panel is composed of a legally qualified chairperson 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.

The tribunal publishes its decisions on the website for the ALT Wales. Decisions of the ALT Wales can be appealed on limited grounds to the Upper Tribunal.

Full information and guidance, about the tribunal and its procedures, is provided on the website for the ALT Wales. Alternatively please contact the tribunal secretariat for further information or if you would like to receive its publications in a different format.

Members of the Tribunal

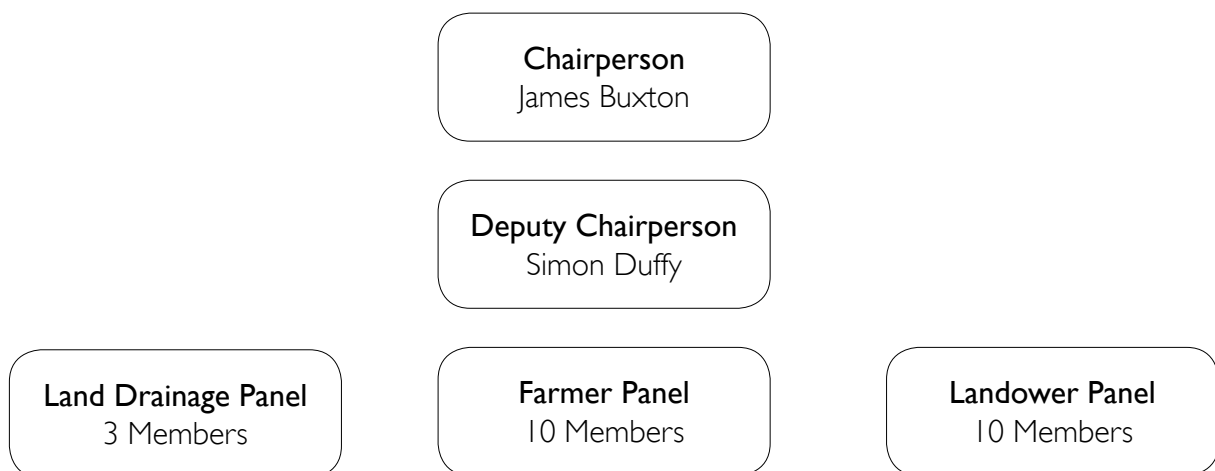
The Lord Chancellor is responsible for making appointments and re-appointments of the chairperson, deputy chairperson and lay members. Appointments are made following the advertisement of vacancies and competitive interview by the Judicial Appointments Commission.

Chairperson The chairperson has judicial responsibility for the tribunal and its members.

Lay Members Lay members have a wide range of knowledge and experience relevant to the work of the tribunal. They sit on the Land Drainage, Farmer or Landowner Panels.

Secretariat The day-to-day administration is largely delegated to the secretariat who deals with all the preliminary paperwork and the processing of applications to the tribunal. The secretariat consults the chairperson on any legal points arising during the preliminary pre-hearing stages of the proceedings and passes on the chairperson's rulings and directions in writing to the parties. The secretariat acts as a point of contact for the chairperson, members and tribunal users and attends all hearings to help with the efficient running of proceedings.

Agricultural Land Tribunal for Wales



Section I – About Us

Appointments

The current deputy chairperson has informed the tribunal of his intention to stand down at the end of his present term at 31 May 2014. The Judicial Appointments Commission is in the process of undertaking a recruitment exercise to appoint a successor.

Training and Appraisals

No training or appraisals have been carried out this year.

An all members training conference is planned for the 2014/15 reporting year and it is anticipated that a programme of performance appraisal for tribunal members will also take place during the course of this year.

Contacting the Tribunal

Contact details for the ALT Wales are as follows:

Tribunal Address: Agricultural Land Tribunal for Wales
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

Tribunal Website: www.alt.wales.gov.uk

Section 2 – Performance and Progress

In this section:

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

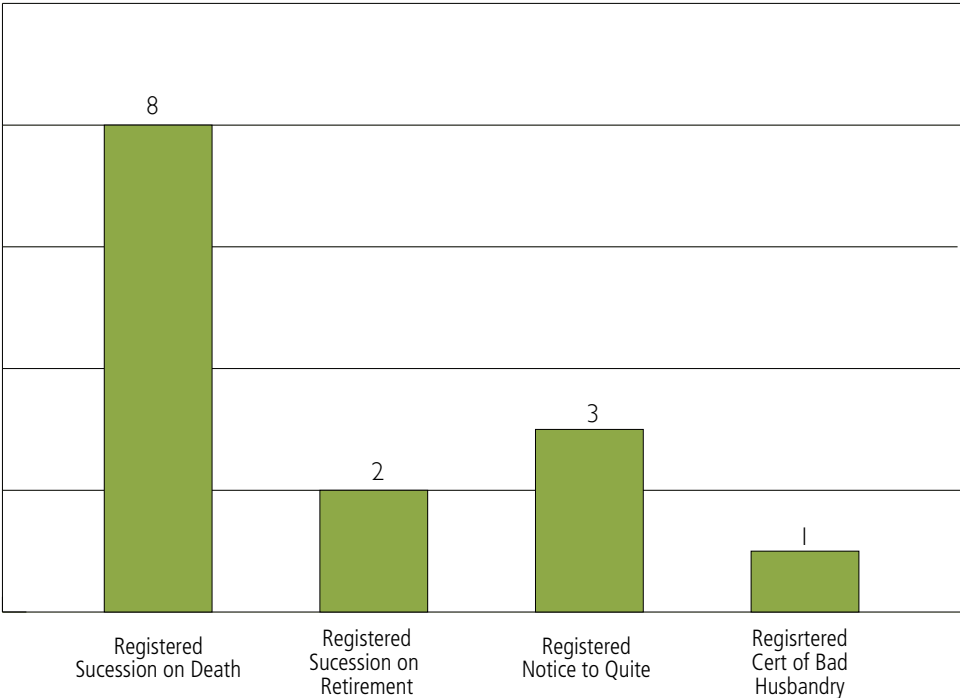
Numbers and Statistics

The 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 by outcome;
- type and outcome of applications.

Table 2.1 Number of Applications Received and Registered 2013-2014

During the period 2013-2014, the Tribunal received a total of 14 applications. The chart below indicates the number of applications in each tribunal jurisdiction. Over this period the tribunal also dealt with 13 applications carried forward from 2012-2013.



Section 2 – Performance and Progress

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

Type of Application	Number of Applications Received and Registered			
	2013-2014	2012-2013	2011-2012	2010-2011
Land Drainage	0	4	3	3
Succession on Death	8	3	5	6
Succession on Retirement	2	1	1	3
Consent to Notice to Quit	3	2	2	1
Certificate of Bad Husbandry	1	0	0	1
Consent to Long Term Improvements	0	0	0	1
Fixed Equipment	0	0	1	0
Total	14	10	12	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 2012-2013)			
	2013-2014	2012-2013	2011-2012	2010-2011
Land Drainage	1	5	5	2
Succession on Death	8	4	12	8
Succession on Retirement	1	0	3	4
Consent to Notice to Quit	2	1	2	2
Certificate of Bad Husbandry	0	1	0	0
Consent to Long Term Improvements	0	0	0	1
Fixed Equipment	0	0	0	0
Total	12	11	22	17

Table 2.4 Applications Finalised in 2013-2014 by Outcome

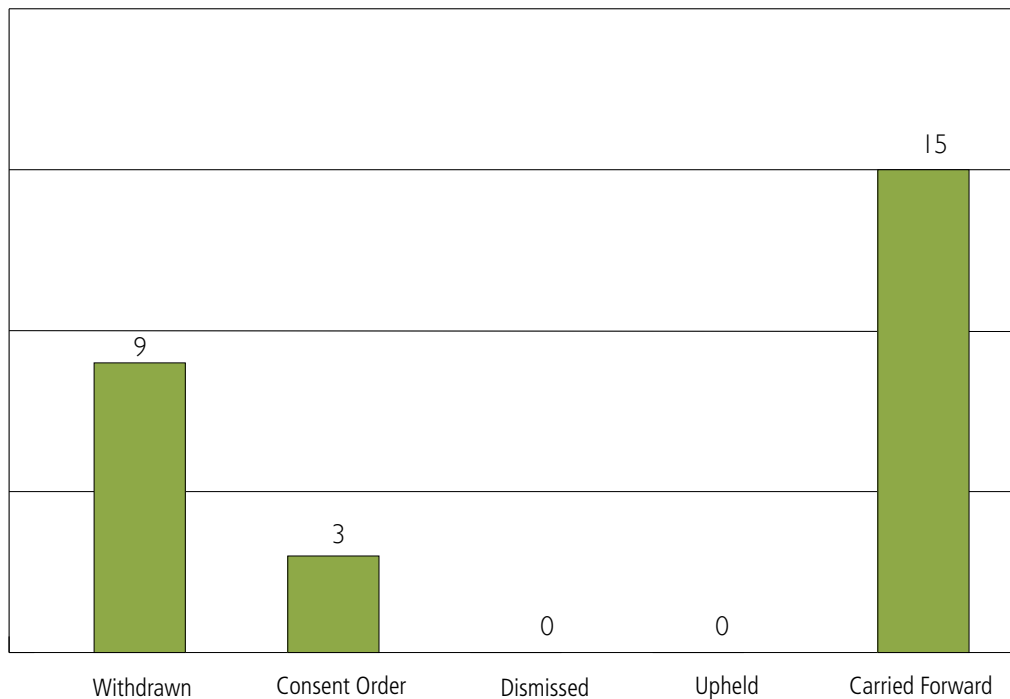


Table 2.5 Applications in 2013-2014 by Type of Case and Outcome

Type of Application	Outcome (includes carried over from 2012-2013)				
	Withdrawn	Consent Order	Dismissed	Upheld	Carried Forward
Land Drainage	1	0	0	0	2
Succession on Death	6	2	0	0	6
Succession on Retirement	0	1	0	0	2
Consent to Notice to Quit	2	0	0	0	4
Certificate of Bad Husbandry	0	0	0	0	1
Consent to Long Term Improvements	0	0	0	0	0
Fixed Equipment	0	0	0	0	0
Total	9	3	0	0	15

Hearings

During 2013-2014, 4 applications proceeded to a hearing, of those that proceeded to a hearing the number of hearing days including a site visit where this has been necessary is 6 days. Of the 4 applications that proceeded to a hearing 2 applications are pending and have been carried forward.

Section 2 – Performance and Progress

Over the course of this reporting period there was also 1 panel hearing relating to an application for costs and 1 paper hearing relating to an application to review the tribunal's 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, one application was made and was dismissed.

Appeals against a decision of the ALT Wales on a point of law can be made to the Upper Tribunal. No appeals were made during the course of the year.

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 efficiency of our service and the quality of service through customer satisfaction.

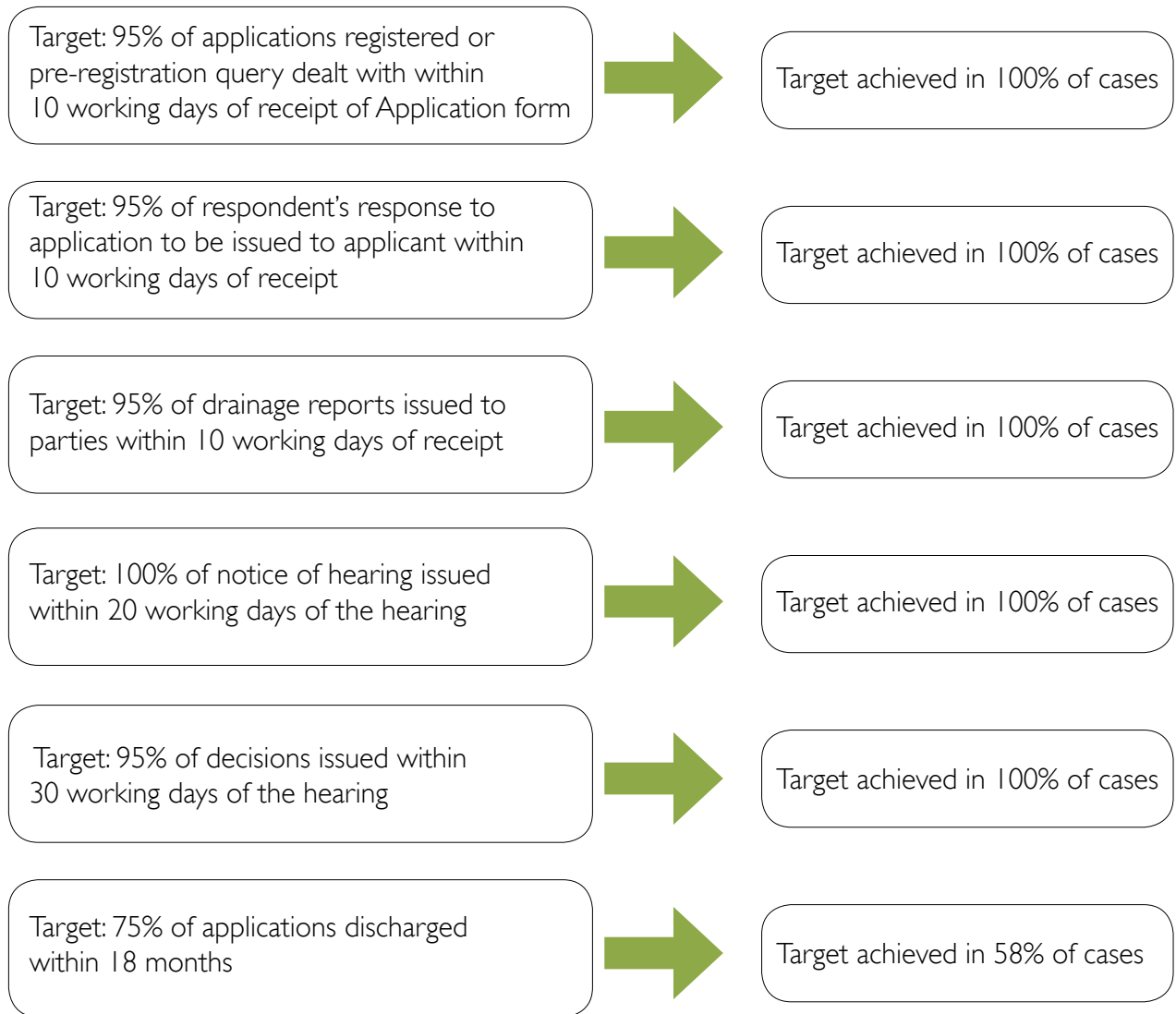
To measure the efficiency of our service, we have a series of primary performance indicators based on the time taken to process an application – from receipt to the hearing or disposal.

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

Complaints

The tribunal received one formal complaint during the course of the year.

Efficiency of our service



*Target not met for 2 cases. This was due to the complexity of the cases.

Section 3 – Our Customers

In this section:

- Customer satisfaction survey

Customer satisfaction survey

The tribunal secretariat strives to improve customer service delivery and aims to put our customers at the centre of everything we do.

On completion of applications, the tribunal secretariat conducts a customer satisfaction survey. The survey results of which enable us to gain a better understanding of our customers' needs and give us a valuable insight into where the tribunal is performing well and highlighting those areas where the tribunal can improve.

The tribunal secretariat received 5 completed forms during 2013-2014. 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:

- Business priorities for 2014-2015

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 2014-2015:

- recruitment, appointment and induction of a tribunal deputy chairperson,
- maintain up to date website for the tribunal and develop and monitor a stakeholder feedback system in relation to the new tribunal website,
- plan and deliver an all members' training conference,
- implement a programme of performance appraisal for tribunal members, and
- continue to deliver a high performing service, ensuring key performance indicators are met and customer satisfaction surveys are undertaken and monitored.

Section 5 – Expenditure

In this section:

- Expenditure for 2013-2014

Expenditure for 2013-2014

Content	Amount
Chairperson Fees and Expenses	£11,500
Hearings	£5,000
Members' Expenses	£3,000
TOTAL	£19,500

* rounded to the nearest £1,000.