

## Repair, maintenance and insurance responsibilities

This guide applies to both Agricultural Holdings Act 1986 and Agricultural Tenancies Act 1995 agreements.

The tables below show the main responsibilities of the landlord and tenant to repair, replace, decorate and insure elements of farmhouses, cottages and farm buildings: they apply apart from where a tenancy agreement states different responsibilities.

Although the 2015 Regulations revoked the 1973 Regulations, some farm tenancies specifically state that the 1973 Regulations should be used.

Remember that, generally speaking, even when an element is the responsibility of the landlord, the tenant has a duty to use it carefully to protect it from damage and to maintain all buildings in good condition.

There are detailed rules about the time period within which either party must have started, completed or contested repairs, or declared elements of the holding as redundant; this is particularly important for issues that affect water supplies, drainage or health and safety (e.g., fire detectors). Speak to your local land management team for details.

This document is only to be used as a guide and proper reference to the statutes should be made for detailed review.



# The Agriculture (Maintenance, Repair and Insurance of Fixed Equipment) Regulations 1973


OUTSIDE AND STRUCTURAL (ordered from physically highest to lowest)	LANDLORD	TENANT
Chimneys, including pots	Repair or replace	
Roofs	Roofs Repair or replace	Keep clean and in good order. Repair or replace tiles and slates that are broken or slipped up to £25 per year
Insulation, in roofs and walls - the Regulations are silent on this		
Bargeboards and eaves guttering and downpipes	Repair or replace. Can recover 50% of reasonable cost from tenant	Keep clean and in good order
Walls - main, structural, external and garden walls (however constructed)	Repair or replace	
Staircases and ladders, of farmhouse and cottages, including bannisters and handrails	Repair or replace. Can recover 50% of reasonable cost from tenant	
Doors, windows and skylights, including frames and sills	Repair or replace. Can recover 50% of reasonable cost from tenant	
Door and window furniture including sashcords, locks and glass		Repair or replace, keep clean and in good order
Decoration, of outside wood and ironwork	Decorate to maintain to 'proper standard' at least every five years. Can recover 50% of reasonable cost from tenant.	
Decoration, of interior structural steelwork of open-sided farm buildings (of those previously painted, gas-tarred, creosoted or otherwise treated)	Decorate to maintain 'proper standard' at least every five years.	
Electricity, power or heat generating equipment - wholly for the tenant's use or benefit - including solar panels, heat pumps and wind turbines	Replace	Repair, keep clean and in good order
Gas and LPG tanks and pipes	Replace	Repair, keep clean and in good order
Tanks for vehicle fuel and oil	Replace	Repair, keep clean and in good order
Fences, hedges, field walls, stiles, cattle grids, gates and posts, yard doors	Replace	Repair, keep clean and in good order
Roads and yards	Replace	Repair, keep clean and in good order
Bridges, culverts, ponds, watercourses, sluices and ditches	Replace	Repair, keep clean and in good order
Water and drainage systems and fittings situated <b>above</b> ground, including pipes, tanks, cisterns, sanitary fittings and drinking troughs, pumping equipment	Replace	Repair, keep clean and in good order
Drains, sewers, gulleys and grease traps, including removable covers and tops	Replace	Repair, keep clean and in good order
Sewage, slurry, silage and other effluent disposal systems, including septic tanks, cess pools, excluding removable covers and tops	Repair or replace (but not covers)	Keep clean and in good working order. Repair or replace covers
Water and drainage systems and fittings situated <b>below</b> ground, including pipes, wells and boreholes, excluding removable covers and tops	Repair or replace (but not covers)	Keep clean and in good working order. Repair or replace covers
Manholes and inspection chambers, including removable covers and tops	Repair (but not covers)	Keep clean and in good working order. Repair or replace covers
INSIDE (ordered from physically highest to lowest)	LANDLORD	TENANT
Ceilings and ceiling joists Floors and floor joists	Repair or replace. Can recover 50% of reasonable cost from tenant	
Staircases and ladders, of farmhouse and cottages, including bannisters and handrails	Repair or replace. Can recover 50% of reasonable cost from tenant	
Decoration, all buildings	Decorate inside of outward opening doors and windows of farm buildings. This must be done at least every five years on farm buildings. Does not apply to farmhouses and cottages. The landlord can recover 50% of the reasonable cost from the tenant	Decorate / treat to maintain to a 'proper standard' the inside of the farmhouse, cottages and farm buildings, including the interior of outward opening doors and windows of the farmhouse and cottages at least every seven years
Electrical supply systems and fittings	Replace	Repair, keep clean and in good order
Heating systems, for water and space heating, boilers, ranges and grates	Replace	Repair, keep clean and in good order
Fixtures and fittings	Replace	Repair, keep clean and in good order
INSURANCE	LANDLORD	TENANT
Insure farmhouses, cottages and farm buildings to their full value against loss or damage by fire	Insure to full value	

# The Agriculture (Model Clauses for Fixed Equipment) (England) Regulations 2015

OUTSIDE AND STRUCTURAL (ordered from physically highest to lowest)	LANDLORD	TENANT
Chimneys, including pots	Repair or replace	
Roofs	Roofs Repair or replace	Keep clean and in good order. Repair or replace tiles and slates that are broken or slipped up to £500 per year
Insulation, in roofs and walls	Repair or replace	
Bargeboards, fascias and soffits and eaves guttering and downpipes	Repair or replace. Can recover 50% of reasonable cost from tenant	Keep clean and in good order
Walls - main, structural, external and garden walls (This includes plasterwork and structural frames and claddings)	Repair or replace	
Staircases and ladders, of farmhouse and cottages, including banisters and handrails	Repair or replace	
Doors, windows and skylights, including frames and sills	Repair or replace. Can recover 50% of reasonable cost from tenant, apart from for garden and yard doors	Repair garden and yard doors
Door and window furniture including sashcords, locks and glass		Repair or replace, keep clean and in good order
Decoration, of outside wood and ironwork	Decorate to maintain to 'proper standard' at least every five years. Can recover 50% of cost from tenant	
Decoration, of interior structural steelwork of open-sided farm buildings	Decorate to maintain to 'proper standard'	
Electricity, power or heat generating equipment - wholly for the tenant's use or benefit - including solar panels, heat pumps and wind turbines	Replace	Repair, keep clean and in good order
Gas and LPG tanks and pipes	Repair or replace	
Tanks for vehicle fuel and oil	Replace	Repair, keep clean and in good order
Signs and notices		Repair or replace, keep clean and in good order
Fences, hedges, field walls, stiles, cattle grids, gates and posts, yard doors	Replace	Repair, keep clean and in good order
Livestock handling systems and sheep dips	Replace	Repair, keep clean and in good order
Roads and yards	Replace	Repair, keep clean and in good order
Bridges, culverts, ponds, watercourses, sluices and ditches	Replace	Repair, keep clean and in good order
Water and drainage systems and fittings situated <b>above</b> ground, including pipes, tanks, cisterns, sanitary fittings and drinking troughs, pumping equipment and <b>below</b> ground, including pipes, wells and boreholes, excluding removable covers and tops	Repair or replace (but not covers)	Keep clean and in good working order. Repair or replace covers
Insulation, of water pipes	Replace	Repair, keep clean and in good order
Drains, sewers, gulleys and grease traps, including removable covers and tops	Replace	Repair, keep clean and in good order
Sewage, slurry, silage and other effluent disposal systems, including septic tanks, cess pools, reed beds, excluding anaerobic digesters, excluding removable covers and tops	Repair or replace (but not covers)	Keep clean and in good working order. Repair or replace covers
Manholes and inspection chambers, including removable covers and tops	Repair or replace (but not covers)	Repair, keep clean and in good working order. Repair or replace covers
INSIDE (ordered from physically highest to lowest)	LANDLORD	TENANT
Ceilings, ceiling joists and floor joists	Repair or replace	
Floorboards	Repair or replace. Can recover 50% of reasonable cost from Tenant	
Fire detectors and alarms, including for carbon monoxide	Repair or replace. Responsible for fast repair of detectors	May do urgent repairs without notifying landlord
Staircases and ladders, of farmhouse and cottages, including bannisters and handrails	Repair or replace. Can recover 50% of reasonable cost from Tenant	
Fireplaces, including firebacks and firebricks	Repair or replace	
Decoration, all buildings	Decorate inside of outward opening doors and windows of farm buildings. This must be done at least every five years on farm buildings. Does not apply to farmhouses and cottages. The landlord can recover 50% of the reasonable cost from the tenant	Decorate / treat to maintain to a 'proper standard' the inside of the farmhouse, cottages and farm buildings, including the interior of outward opening doors and windows of the farmhouse and cottages at least every seven years
Electrical supply system, including the consumer board	Repair or replace. The landlord must have the electrical supply system regularly inspected, maintained and serviced, and keep records of the inspections.	
Electrical sockets, switches, light fittings and electrical furniture. (NB this is generally on or outside the surface of walls)		Repair or replace, keep clean and in good order
Heating systems, for water and space heating, ranges and grates	Replace	Repair or replace, keep clean and in good order
Fixtures and fittings	Replace	Repair or replace, keep clean and in good order
INSURANCE	INSURANCE	INSURANCE
Insurance loss or damage by fire	Insure to full value	



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