

FARMING AND PROPERTY BULLETIN – FEBRUARY 2020

Agricultural Bill

- The Agricultural Bill, which will set the framework for agricultural policy for the foreseeable future, was set before Parliament on 16th January 2020.
- The legislation remains largely unchanged from the original Bill published in September 2018. The 'Agricultural Transition' still looks certain to commence in 2021 and will last for seven years, despite requests from the NFU for a year's delay.
- The new Bill does contain some changes from its predecessor:
 - In areas where the Government may give financial assistance to in future (eg. Under ELM), there is now a specific mention of soil quality and preserving the genetic resources of livestock (native breeds);
 - Any financial assistance scheme '*must have regard to the need to encourage the production of food in England and its production in an environmentally sensitive way*';
 - Every five years the Government must produce a statistical analysis of the food security of the UK;
 - A new section of the Bill might allow miscellaneous issues to be dealt with. These include the power to change fertiliser regulations, changes to animal ID rules, amending the red meat levy, and changes to agricultural tenancy legislation (discussed in further detail below).
- It is expected that the Bill will pass into law relatively easily, although there may still be minor changes made during the Parliamentary process. It is believed that the legislation will be passed by late spring, well in time for the Agricultural Transition to begin in 2021.

Tenancy Reform

The new Agricultural Bill contains some amendments to the tenancy legislation in England and Wales. Some of these changes include:

- Removing the 'Commercial Unit Test' under the succession provisions of AHA tenancies;
- Amendments to the 1986 AHA to allow a third party to be appointed to resolve a rent dispute at any time until the rent review date;
- Amendments to both the 1986 AHA and 1995 ATA to allow the President of the CAAV and Chair of the ALA to make appointments of arbitrators;
- Removing barriers which currently dis-incentivise Landlord from investing in their AHA holdings; and
- Amendment to the 1986 Act so that applications for succession on retirement can be made at any age.

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DEFRA Changes

- As of 13 February 2020, George Eustice has taken over the role as the new DEFRA Secretary of State, following the departure of Theresa Villiers as part of the Cabinet reshuffle.

Countryside Stewardship

- The countryside stewardship application window opened on 11 February 2020 for agreements with a 1st January 2021 start date.
- Applications can be submitted for the Mid Tier, Higher Tier and Wildlife Offers, with further information and guidance available at <https://www.gov.uk/government/collections/countryside-stewardship-get-paid-for-environmental-land-management>

Flooding

- Following the recent flooding that has affected large parts of the country, the government has announced a support package for those affected, which includes:
 - A community recovery grant - £500 hardship payments;
 - 100% council tax and business rates relief for at least three months;
 - A business recovery grant – up to £2,500 for small and medium sized businesses with uninsurable losses; and
 - A property resilience scheme – up to £5,000 funding for businesses and homes to pay for property improvements to increase resilience to flooding.
- Further information is available at <https://www.gov.uk/government/news/major-package-of-support-for-storm-hit-areas>

Minimum Wage Rates

- The National Living Wage will increase by 6.2% from April. The minimum rate of pay for those 25 years old and over will rise from the current £8.21 per hour to £8.72.