



RURAL PROFESSIONALS

Fellowship of the Agricultural Law Association

Prospectus 2018

Fellowship of the Agricultural Law Association

16 to 18 October & 30/31 October 2018

Scarman Conference Centre, University of Warwick

Examination: 13 November 2018, Chartered Institute of Arbitrators, London

ALA invites applications from Members to attend the courses leading to the 2018 award of the Fellowship of the Agricultural Law Association.

This programme provides additional training in those areas of law relevant to rural practice in all professions and which are not taught at institutional level or in the various professional qualification courses. For those candidates who pass the examination, it will also provide a badge of excellence.

The course is based on a fictional scenario, which will be provided in advance to delegates. The problems to be negotiated will be many and various, involving arable and livestock farming, tenanted farms, woodland, minerals, and other issues such as diversification, property maintenance and commercial business negotiation. The object is to discuss the issues which arise in such a context and to analyse the law applicable to them.

Agricultural holdings – *comparison of principal features of tenancies under the 1986 and 1995 Acts; succession under the 1986 Act (including will drafting); comparison of repairing obligations, rent reviews and other features of the two schemes; comparison of 1995 Act and Landlord and Tenant Act 1954, Part II; pros, cons and practical issues on conversion from one type of tenancy to another; farm workers' housing; litigation implications of breaches of tenancy*

Land Law – *freeholds, leaseholds and other more complex means of holding and organising land; easements, profits à prendre and*

other third party rights: water, sporting, fishing, drainage; water abstraction and environmental maintenance; nature conservation and pollution control; litigation of disputes; positive and restrictive covenants; mortgages and other forms of charge and their use in organisation of landholdings; private and statutory nuisance; telecoms & renewables.

Estate planning – *business structures; creation and termination of trusts; organisation of land interests; trusts for sale and settled land; trusts of land; duties of*

trustees; removal of trustees, beneficiary disputes

Taxation – *capital gains tax, inheritance tax, income tax, corporation tax, SDLT and VAT*

Town and Country Planning – *summary of the statutes and central government directions and advice: interaction of the basic provisions with local decision making powers; Environmental Impact Assessments*

Common Agricultural Policy – *BPS and ancillary schemes; Rural Development; agri-environment; ongoing reforms*

Brexit Implications for future Estate/Farm strategy

The subjects will be dealt with holistically: all elements of law interact and to think in pigeon holes is a recipe for mistakes. And this is not just a course for lawyers; it is a course about law, from which Members from all other professions will benefit.

Candidates will be expected to have a working knowledge of standard texts and our teaching will be to an advanced standard.

The number of candidates will be limited to the first 20 who apply and the teaching format will encourage dialogue and interactive involvement in the learning process.

In the course of five days, we will cover the following areas of law:

Over the five days, there is a total working time of 29 hours. The timetable is deliberately flexible to allow for lectures, group sessions, plenary discussion and Q&A.

The examination will be held at Chartered Institute of Arbitrators, London on the afternoon of Tuesday, 13 November. It will run for 2½ hours and require schemes of advice to be presented to three of five problem-based questions.

The total cost is £2,350 and includes board and lodging at the University of Warwick, all course materials and the

examination fee, plus one resit attempt if necessary.

To enrol on the course, please complete and return the attached booking form with your remittance to Mike Holland, Agricultural Law Association, PO Box 10489, Oakham, LE15 0GL or mike.holland@ala.org.uk **to arrive no later than 5pm on Friday, 31 August 2018**

Mike will be pleased to answer your questions: please call 07885 643341 or email mike.holland@ala.org.uk



Application for enrolment

I am a Member of ALA

Please enrol me on the 2018 training course for Fellowship of ALA:

Name:

Profession:

Address:

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Telephone:

Email:

Dietary requirements:

Areas of Professional Work/Experience to date:

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I enclose a cheque payable to 'Agricultural Law Association' for £2,350

(VAT is not applicable as the course falls within the Tour Operators Margin Scheme.)

I understand that acceptance of my payment and enrolment on the course does not guarantee an award of fellowship

Signed

Dated