



AGRICULTURAL LAW ASSOCIATION

Agricultural Law Association

Fellowship 2019

Prospectus & Enrolment Form

Week 1: 30 September – 2 October

Week 2: 15 & 16 October

Scarman Conference Centre, University of Warwick

Examination: 6 November, Chartered Institute of Arbitrators, London

The Association invites applications from Members for the 2019 award of the Fellowship of the Agricultural Law Association.

THE COURSE:

This programme provides additional training in those areas of law and practice relevant to all rural professionals and which are not taught at institutional level or in the various professional qualification courses.

Award of the Fellowship is subject to successfully passing the Exam.

The course uses a fictional Estate scenario, which will be provided in advance to candidates.

The problems to be addressed will be many and varied, involving arable and livestock farming, tenanted farms, woodland, minerals, and other issues such as diversification, commercial business negotiation and compulsory purchase.

The object is to discuss the issues which arise in such a context and to analyse the law and the practical approaches applicable to them.

The subjects will be dealt with holistically: all elements of law and practice interact.

Candidates will be expected to have a working knowledge of standard texts and our teaching, discussions and workshops 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 principal areas:

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 including Settled 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.

Brexit Implications for future Estate/Farm strategy

Government agricultural policy developments that impact on business planning and structures including the proposals for the removal of Direct Payments and the proposed introduction of schemes such as the Environmental Land Management Scheme (as they will exist at the time of the course)

TIMETABLE AND CPD:

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.

EXAMINATION:

The examination is 2½ hours and require candidates to answer three of five problem-based questions.

COST:

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.

ENROLMENT:

To enrol on the course, please complete and return the enrolment form below with your remittance either by post or email to:

Agricultural Law Association, PO Box 10489, Oakham, LE15 0GL or enquiries@ala.org.uk

Deadline for Enrolment: 5pm on Friday, 30 August 2019

If you have any queries, please contact Mike Holland on 07885 643341 or at mike.holland@ala.org.uk

Application for enrolment

I am a Member of ALA. Please enrol me on the 2019 Fellowship course and exam:

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.) or payment will be made by BACS to:

Account No: 51283383
Sort Code: 40-46-39
Account Name: Agricultural Law Association

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

Signed

Dated

