



AGRICULTURAL LAW ASSOCIATION

Members E-Newsletter #1 30 March 2020

Welcome to the first of a series of e-newsletters that we will issue to Members from time to time with links and brief comment on matters of ongoing professional interest.

The e-newsletters are not intended to be detailed papers but pointers for Members on relevant matters.

If any Member has a query on any topic covered in these newsletters, please email Mike Holland at mike.holland@ala.org.uk.

In respect of the Agriculture Bill and Environment Bill, the Association will be delivering specific CPD on these topics in the coming weeks.

Where we refer to new legislation below, Parliament is now in recess and it is currently proposed that it will sit again on 21 April; assuming of course that the Covid-19 pandemic does allow for Parliament to return on that date.

We will be updating the website on a regular basis with relevant industry guidance, case law, legislation and other materials. Please do take some time to visit the website at www.ala.org.uk

1. Coronavirus – General Advice

For up-to-date guidance on the Coronavirus pandemic, Members may wish to refer to the following links:

<https://www.gov.uk/coronavirus>

<https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19>

<https://www.gov.uk/government/organisations/hm-treasury>

<https://www.nhs.uk/conditions/coronavirus-covid-19/>

[The Health Protection \(Coronavirus, Restrictions\) \(England\) Regulations 2020](#)



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2. Coronavirus Act 2020

The Coronavirus Act received Royal Assent on 26 March.

The full Act can be viewed at

<http://www.legislation.gov.uk/ukpga/2020/7/contents/enacted>

The Act will touch all our lives in some form. Of particular interest to Members in advising rural businesses are the following Sections:

Sections 25-29 Food Supply

Sections 39-44 Statutory Sick Pay

Section 52 Powers relating to events, gatherings and premises

Sections 53-57 Courts and tribunals: use of video and audio technology

Sections 72-74 National Insurance Contributions

Section 81 Residential tenancies: protection from eviction

Sections 82-83 Business tenancies: protection from forfeiture etc

Schedule 15 Information relating to food supply chains: financial penalties

Schedule 29 Residential tenancies in England and Wales: protection from eviction

3. Agriculture Bill

At the time of writing, the Bill had reached the Report stage of its passage through the House of Commons following the Committee debates.

The current draft Bill (as amended) can be viewed at

<https://publications.parliament.uk/pa/bills/cbill/58-01/0106/20106.pdf>

To support the Bill, the Government published its Policy Statement on 25 February. [Click here](#) to view the full Statement.

4. Environment Bill

At the time of writing, the Bill was being considered by the Public Bill Committee following its second Reading in the Commons on 26 February.

The current draft Bill (as introduced) can be viewed at

<https://publications.parliament.uk/pa/bills/cbill/58-01/0009/20009.pdf>

To support the Bill, the Government published its Policy Statement on 30 January. [Click here](#) to view the Statement.



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5. Rented Homes Bill

At the time of writing, the Bill had reached the 2nd Reading stage of its passage through the House of Lords.

The current draft Bill can be viewed at

<https://publications.parliament.uk/pa/bills/lbill/58-01/051/5801051.pdf>

In summary, the Bill proposes to:

- Amend the Housing Act 1988
- Abolish Assured Shorthold Tenancies in England
- Introduce amendments to existing grounds for possession under Schedule 2 and introduce to Schedule 2, new grounds for possession of assured tenancies in England and Wales
- Provide for exceptions for tenancies entered into prior to the Act coming into force subject to a 'longstop' provision of three years

It is important to note that subsequent amendments to the draft Bill may come forward during its passage through Parliament and updates will be provided to Members as the Bill progresses.

Members are directed to the Housing Act 1988 to read alongside this draft Bill. The Act can be viewed at <http://www.legislation.gov.uk/ukpga/1988/50/contents>

Members in Wales should also keep in mind the Rented Homes (Wales) Act 2016 and the provisions of that Act that the Welsh Government are intending to bring forward to replace Assured and Assured Shorthold tenancies. The Act can be viewed at <http://www.legislation.gov.uk/anaw/2016/1/contents>

6. Environmental Land Management Scheme

DEFRA published a policy discussion paper on the proposed ELM Scheme on 25 February. The discussion paper invites comments with a deadline for responses of 5 May.

The discussion paper can be accessed at

<https://consult.defra.gov.uk/elm/elmpolicyconsultation/>

For those Members wishing to comment on the discussion paper and who would like to raise any points as part of the Association's response, please email your comments to Mike at mike.holland@ala.org.uk



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7. Reforming agricultural tenancies in England

DEFRA published their response to the agricultural tenancy consultation (held in 2019) on 17 March.

[Click here](#) to view the full response.

Those proposals which DEFRA have chosen to adopt are set out in the draft Agriculture Bill although there is a significant level of detail that will come forward in secondary legislation and we await further details on those provisions from DEFRA.

In addition, DEFRA's response includes comments on those aspects of the consultation proposals which have not found their way into the draft Bill but which may still be considered by DEFRA with industry stakeholders.

8. ALA Bulletin Archive

As you will be aware, the Association maintains an archive of past Bulletin editions on our website that is only accessible by Members.

For an interim period in the absence of our usual Regional CPD events, to assist Members and their firms with keeping their colleagues up to date with CPD commitments and matters of professional interest, the Bulletin archive will be made available as a public page.

The archive can be accessed at <https://ala.org.uk/bulletin-archive/>

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