



AGRICULTURAL LAW ASSOCIATION

## Members E-Newsletter #4 28 May 2020

### 1. CORONAVIRUS – GENERAL UPDATES

#### **HM Land Registry – Changes to identity verification and signing deeds**

With effect from 4 May, HMLR have introduced temporary changes when verifying a person's identity and for signing deeds.

The updated advice can be viewed at

<https://www.gov.uk/government/news/changes-to-identity-verification-and-signing-deeds>

#### **Ministry of Housing, Communities and Local Government – Compulsory Purchase Guidance**

On 13 May, MHCLG issued guidance for acquiring authorities on compulsory purchase matters which can be accessed at

<https://www.gov.uk/guidance/coronavirus-covid-19-compulsory-purchase-guidance#history>

#### **HMRC - Conditional Exemption**

HMRC have issued guidance (on 28 April) where it is not possible for owners of properties or assets in the Conditional Exemption Tax Incentive Scheme to meet all of their undertakings due to coronavirus.

The guidance can be viewed at

<https://www.gov.uk/government/publications/capital-taxation-and-tax-exempt-heritage-assets>



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## **DEFRA - Accessing Green Spaces Safely**

DEFRA (with the Forestry Commission, Natural England and the Environment Agency) have updated their guidance (on 23 May) on accessing green spaces safely, which includes advice to land managers and landowners.

The updated guidance can be viewed at

<https://www.gov.uk/government/news/coronavirus-guidance-on-access-to-green-spaces>

## **Tribunal Guidance**

For the latest guidance on the operation of the tribunal system in light of coronavirus, updates can be viewed at <https://www.judiciary.uk/coronavirus-covid-19-advice-and-guidance/>

Recent updates include revised Presidential Guidance on the conduct of proceedings in the Upper Tribunal and the payment of fees using online payment.

## **2. NEW LEGISLATION**

With the passage of new legislation through Parliament now gaining momentum, this is a reminder of the key new legislation that will affect the sector together with a summary of some other draft Bills which Members may find of interest to 'keep an eye' on!

*(reference to Parliamentary stages/dates correct as of 28 May 2020)*

### **Agriculture Bill**

The second reading of the draft Agriculture Bill in the House of Lords is scheduled for 10 June and will be followed by the Committee Stage.

The Bill documents can be viewed at <https://services.parliament.uk/Bills/2019-21/agriculture/documents.html> which includes a tracked version so that amendments to the original draft (as it has passed to the Lords from the Commons) can be easily viewed.



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### **Environment Bill**

The draft Bill was being considered by the Public Bill Committee in the Commons. The next report by the Committee is scheduled to be issued by 25 June.

The draft Bill can be viewed at <https://services.parliament.uk/Bills/2019-21/environment/documents.html>

### **Trade Bill**

The second reading of the draft Bill was on 20 May and it will now pass to the Commons Committee stage. The date has not yet been announced.

The draft Bill can be viewed at <https://services.parliament.uk/Bills/2019-21/trade/documents.html>

### **Rented Homes Bill**

The principal provisions of this draft Bill were summarised in E-newsletter #1 (30 March).

The second reading of the draft Bill in the House of Lords (the Bill having started in the Lords) has not yet been scheduled.

The draft Bill can be viewed at <https://publications.parliament.uk/pa/bills/lbill/58-01/051/5801051.pdf>

### **Green Belt Protection Bill**

The draft Bill includes provisions in respect of establishing a nation register of Green Belt land in England and rules applying to any proposed de-designation of Green Belt land by local authorities.

The first reading of the Bill was on 10 February.

It must be stated that this is a Private Members Bill and whilst the second reading was due to take place on 13 March, following an objection, the second reading is now not scheduled until 27 November.



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Whether the draft Bill progresses only time will tell but this will be of interest to those advising clients in areas of green belt where development proposals exist.

The draft Bill can be viewed at <https://services.parliament.uk/Bills/2019-21/greenbeltprotection/documents.html>

### **Inheritance Tax Act 1984 (Amendment) (Siblings) Bill**

This Bill started in the House of Lords and proposes amendments to the Inheritance Tax Act 1984 which seeks to make transfers between siblings exempt in certain (in this case very specific) circumstances.

The second reading of the Bill has not yet been scheduled and how this will be considered if/when it reaches the Commons is for debate!

The draft Bill can be viewed at <https://services.parliament.uk/Bills/2019-21/inheritancetaxact1984amendmentsiblings/documents.html>

### **Telecommunications Infrastructure (Leasehold Property) Bill**

The draft Bill which makes provisions to amend the Electronic Communications Code (Schedule 3A, Communications Act 2003), dealing with unresponsive occupiers, and now having passed the second reading in the House of Lords, is scheduled for its House of Lords Committee stage to commence on 2 June.

The draft Bill can be viewed at <https://services.parliament.uk/Bills/2019-21/telecommunicationsinfrastructureleaseholdproperty/documents.html>

## **3. PRINCIPLES OF REMOTE ADVOCACY**

Guidance has recently been issued by the Inns of Court College of Advocacy on the conduct of hearings online.

The guidance can be viewed at <https://www.icca.ac.uk/principles-for-remote-advocacy-2/>



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#### **4. WALES – JUDICIAL APPOINTMENTS**

The Judicial Appointments Commission (JAC) is looking for candidates experienced in land management and rural affairs in Wales to become Land Owner Lay Members of the Agricultural Tribunal in Wales.

The full eligibility criteria can be found [here](#).

This vacancy opens on 27 May and closes on 10 June. For more information and to sign-up for updates please see the JAC website <https://apply.judicialappointments.digital/vacancy/nFUvf29PYhfE8MWYVk9E/>

Three vacancies are available and you can contact the JAC at [agriculture.2020@judicialappointments.gov.uk](mailto:agriculture.2020@judicialappointments.gov.uk)

#### **5. SCOTLAND - AMNESTY ON TENANT'S IMPROVEMENTS**

The Scottish Government have extended the deadline under the Amnesty on Tenant's Improvement provisions. The amnesty period will now expire on 12 December 2020.

You can view The Land Reform (Scotland) Act 2016 (Supplementary Provision) (Coronavirus) Regulations 2020 at <http://www.legislation.gov.uk/sdsi/2020/9780111045183/contents>

#### **6. CEREALS LIVE & PANEL SESSION ON SUCCESSION**

A reminder that the Cereals Event is going online to support the industry amid the Covid-19 pandemic, with existing exhibitors and sponsors involved.

Cereals LIVE 2020 will be held online on 10-11 June 2020.

We are also very pleased to be chairing a panel session on Succession which will be shown live at 6pm-6.45pm on 10 June. Joining Mike on the Panel will be Ally Hunter Blair (arable farmer), Becky Miles (trained family farm facilitator in managing farm business change and succession), Jane Hill (Saffrey Champness) and David Fursdon. For more information and to register visit [www.cerealsevent.co.uk](http://www.cerealsevent.co.uk).

**END**

