

## Welcome

Welcome to the summer issue of Rural Matters, which includes various updates and advice from our team.

Joanna Wall provides an update on the new electrical safety regulations which apply to let residential properties, whilst Beth Hanson gives advice on the grants available to flood hit farmland. You can also find out more on the Welsh Government's commitment to renewable energy from Katie Davies.

Clive Roads shares his thoughts on the effects of the pandemic and the importance of the role of the livestock sector in the supply chain. Jenny Layton-Mills provides an insight into telecommunication mast negotiations and offers advice on how Farm Business Tenancies can be used effectively for farmers who may be looking to retire or cut down on their workload. Finally you can learn about the full bespoke dispersal sale services which we offer.

We would like to thank all of our farmers and clients for their support and cooperation throughout the COVID pandemic to date. The past few months have certainly been unprecedented and we have worked to adapt to ensure we can continue to provide our full range of services to our new and existing clients. As we adapt to a new normal, we ask that you continue to cooperate with us by following all social distancing and face covering requirements in our livestock markets. The markets provide a vital role in the supply chain, and it is paramount that we keep our employees, vendors, buyers and clients safe to ensure we can remain open.

Please do get in contact with our team if you have any questions, or would like any advice.

### Gareth Wall

Managing partner and chairman of the agricultural and rural professional departments



## Livestock Matters!

Very regrettably it takes a pandemic on the scale experienced by Covid-19 to bring reality back to the nation (and even the world). The pandemic has highlighted the need for the supply chain to continue, even in the face of adversity.

In recent months livestock, particularly cattle (and by implication farmers), have been lambasted by just about every brainless "being" from so called eminent scientists to politicians, let alone school children revved up by the media pointing the finger at cattle for "screwing up" the environment - can you believe adult people are that detached from the real world let alone the hypocrisy from public figures/personalities.

When aeroplanes stopped flying and cars were parked in garages - surprise, surprise the environment started to recover in a very short time even though cattle still grazed and performed their bodily functions. It would be

interesting to get a particular Formula 1 drivers opinion on that now - on reflection, no thank you!!

Having hopefully put that issue "to bed" the main event is supplying the vast majority of our nation with meat (red and white) to enable everyone to have a healthy, balanced diet for well-being. Not for many years has this requirement been so pronounced and valued by the general public. Demand has for the time being, moved away from eating out to eating in but, there appears on the surface to be a much more positive attitude to meat and all of the advantages a meat based diet provides.

I hope that you are, as we are, PROUD to be involved in the livestock sector and supply chain.

Don't expect any thanks when everyone's fridges are full but, reality is fragile and never far away.



### Clive Roads

Based at Worcester Market Office

## Telecommunications Masts

There has been some movement forward in the rents that are being achieved since the introduction of the telecommunications code. You may remember that post the introduction of the new code, companies were offering ridiculously low rents. We have made some progress with different companies, and whilst the rents are not as high as pre-code, they should be looked at rather than having a firm take a client to a tribunal to enforce a rental payment on them. We can advise on comparable rents, one off payments, early access payments and our fee is normally met by the telecommunications operator.



### Jenny Layton Mills

Based at Knighton Office

## Upsurge in demand for rural property

The farm, land and rural property market has seen a large increase in activity over the past weeks in both the sales and rental markets. More property is needed to fulfil demand. The upsurge in potential purchasers and tenants looking for farms, land and rural property in the last few weeks has been driven by a number of factors. The main reasons include; purchasers are wishing to take advantage of low interest rates and the temporary stamp duty reductions, many are wishing to relocate from urban areas to the countryside and some purchasers are wishing to purchase property of environmental and conservation interest.

McCartneys are one of the largest firms of rural chartered surveyors and estate agents covering the West Midlands and Wales region and we have an extensive number of potential purchasers registered who are looking for farms, land and rural property to buy or rent.

We have a dedicated team of RICS registered valuers and estate agents with a wealth of knowledge of the farms, land and rural property market and can undertake no obligation market appraisals for sale or rental purposes without charge.

We can arrange site inspections and virtual property inspections to undertake property appraisals whilst adhering to government coronavirus guidance to ensure clients can take advantage of the current rural property interest.

The McCartneys farms, land and rural property team are well placed to assist with sales and lettings of rural property and are using a whole host of different technology, social media and internet platforms to successfully market property for clients nationally and internationally.

If we can assist you in the sale or letting of rural property please give one of our rural property offices a call for a free of charge no obligation appraisal.



**Gareth Wall**  
Based at Kington Office

## Careful consideration is key to on-shore wind developments

The Welsh Government's commitment to renewable energy is currently producing significant activity across Wales in relation to on-shore wind development. Landowners are being approached by developers seeking to gain planning permission for on-shore wind farm sites.

If you are approached by a development company wanting to include your land, or have rights over your land, in a potential scheme and you are interested in participating, it is important you take professional advice to ensure the best deal for you is agreed. It is usual for developers to cover the cost of your agent and legal fees.

Land can be wanted for the actual siting of wind turbines, or for access and infrastructure connected to the wind farm site. Depending on what your land is needed for, the type of agreement to be entered into will vary. The developers

## A winter to forget... but not just yet!

At the time winter 19/20 felt like it was never ending, with relentless rain day after day. February 2020 was the wettest since records began in 1910, with many places receiving more than twice the average rainfall. As a result of the significant rainfall, exceptional flooding caused damage to large swathes of agricultural land and property across the country, with many places flooding that had never been damaged before. I hope that we never experience such a wet season again – or at least, not for a very long time!

The UK government has recognised the financial implications which the flooding has had on English farmers, and subsequently in response to this, has opened the Farming Recovery Fund. The grant provides funding to English farmers whose agricultural land was damaged during the February floods by a named river which overtopped between 15th and 29th February 2020.

The fund provides financial assistance of up to 100%, with a minimum grant level of £500 and a maximum grant level of £25,000. The grant covers a number of uninsurable repair costs, including removing flood debris, re-cultivation of land and re-seeding, replacing fencing, replacing gates and the resurfacing of gateways. You can apply for work which you have already completed, however photographic evidence will be required.

It may be a winter you wished to forget, but don't just yet – make sure you are not missing out on grant funding which you might be eligible for. Eligibility for the scheme has been pre-determined on the basis of satellite imagery which was taken during the flood events in February 2020. To find out if you are eligible, visit <https://farmingrecovery.org.uk/> and enter your SBI, or call your local McCartneys office for further help.

The deadline for grant application submissions is 1st September 2020.



**Beth Hanson**  
Based at Kington Office

may want to enter into an exclusivity agreement and/or option agreement while seeking to gain planning permission on the site, which will lead into a lease or grant of rights when planning permission is obtained. The type of agreement can vary, but what is usually the same is that detailed Heads of Terms need to be agreed now, which will outline the terms of a future agreement, including the financials. Developers will be wanting agreements that will span the lifetime of a windfarm, often 30 years plus, therefore it is essential careful consideration is given and all bases covered.

At McCartneys we have vast experience in negotiating Heads of Terms, lease agreements, access agreements and easements and wayleaves with wind farm developers. We will advise what terms need to be included to ensure a fair deal for you which is specific to your circumstances, and considers what happens not just now, but during the life of the windfarm and afterwards.



**Katie Davies**  
Based at Knighton and Welshpool Office

# There may be a global pandemic, but the regulations keep rolling out....

On 1st June 2020, new regulations came into force requiring landlords of residential properties, including farmhouses let under the Agricultural Holdings Act (AHAs) and Agricultural Tenancies Act (FBTs), to have an electrical safety test carried out every five years.

The regulations came into play for new tenancies from 1st July 2020 and existing tenancies from 1st April 2021. The safety test is required to be carried out by a qualified person/electrician and prior to any new tenancy commencing.

All properties let under Assured Shorthold Tenancies, Assured Tenancies and Rent Act tenancies will fall under this regulation.

As a reputable letting agent, we have already been complying to this regulation prior to it becoming legislation, and we also advise that a visual electrical safety test is carried out in between the change of tenants, within the 5-year period, as good practice.

The qualified person will provide a report of the findings after their inspection, a copy of which has to be provided to the

tenant within 28 days, and a copy retained on file until the next inspection is carried out.

If remedial works are recommended within the inspection report, the landlord must ensure that this work is carried out within 28 days of the date of inspection and an updated report issued and presented to the tenant within a further 28 days.

It is advised, that landlords with a number of residential let properties instruct a qualified electrician now to carry out the inspections to ensure their existing properties are fully compliant by the deadline of 1st April 2021.

For further information on this new regulation and how it affects you, or to ensure you are compliant to all the other legislation that is associated with let property, please contact one your local McCartneys' professionals.

**Joanna Wall**

Based at Craven Arms Office



## Our bespoke dispersal sale services

McCartney's LLP undertakes a number of farm, machinery and commercial on site and online dispersal sales on an annual basis in the West Midlands and Wales region.

Our team of specialist auctioneers and valuers can offer bespoke sales on site or via online timed auctions to suit the client's needs and wishes with sale day internet bidding if required.



We regularly hold machinery and equipment sales across the West Midlands and Wales region as well as further afield. We have an extensive database and mailing list comprising of thousands of buyers for farm, machinery and commercial items. We will ensure your sale is advertised to your best advantage and to a wide array of purchasers, both nationally and internationally. We ensure sales are fully

advertised by using local, regional and national advertising, as well as our website and social media pages (which attract a large number of prospective buyers), combined with our network of 15 offices and also include adverts within our weekly livestock market reports from our 5 markets throughout the region.

Our experience, knowledge and auctioneering skills ensures that sales conducted by public auction on site or via online sales are maximised to their full potential with the whole auction conducted in an efficient way.

We can offer unrivalled personal service in arranging all aspects of the dispersal sale from inception, valuation, photographing, cataloguing, advertising, sale set up, lotting, conducting the sale day and after sale support which is second to none.

We have a very dedicated and experienced back office team, who have vast experience in running on site and online sales with inhouse IT specialists to ensure the whole sale is run efficiently and effectively.

Our charges are flexible and competitive and we account promptly with the sale proceeds.

If you would like to discuss an onsite or online dispersal sale please contact one of our auction specialists for a free of charge no obligation appraisal.

**Gareth Wall**

Based at Kington Office



# Where tradition meets the new farming world

The annual auction event at Honeybourne is established on the farming calendar as the main outlet for store lambs bred in the area. The lambs on offer on Wednesday 5th August were a credit to their producers and looked in "top form". This year's sale lived up to all expectations with a huge contingent of buyers, including several new buyers. The mixed lambs made up the majority of the sale and sold to a top price of £93, with all first quality lambs ranging from £80 to £93/head. Smaller lambs sold between £60 to £70/head, whilst well framed lambs for further fattening ranged between £72 to £80/head. Wether lambs were much the same story as the mixed lambs selling up to £82.50/head. There was an increased interest in ewe lambs this year with many producers wishing to replace or increase breeding numbers. Best quality Suffolk X ewe lambs sold between £82 to £90/head, up to £94.50/head. Ram lambs sold mostly between £66 to £78/head, up to £83.50/head. There was



a small but quality selection of breeding rams on offer, which all sold between £250 to £310/head.

Much has changed as we move the sale forward; no more handmade wooden hurdles and no more horse & cart from which to sell from. However, the one thing that does remain the same is the generations of farming families who bring their stock to the sale. A total clearance of all sheep on the sale field was achieved, and we look forward to the sale next year.

**Phillip Blackman Howard**  
Based at Ludlow Market Office



## Moving to the future



Now there are a limited number of council farms to let compared to previous decades, opportunities that become available are often few and far between. I currently have a 280 acre farm near Llandrindod Wells to let on a 5 year Farm Business Tenancy which has received excellent interest from new entrants, young farmers and farming families.

If you are a farmer wanting to cut down or retire but don't wish to sell your farm, the Farm Business Tenancy route is a good option. Presently, Farm Business Tenancy lettings can gain full Inheritance Tax relief and the rent gives the retiring farmer a good income for his retirement.

If you wish for the land to be farmed in a particular way, clauses can be

added to the Farm Business Tenancy agreement. Under these arrangements the tenant claims the Basic Payment monies and any other scheme payments (subject to scheme approval by the landlord). The Farm Business Tenancy route can also be used for farmers who are wishing just to cut down, i.e. let out arable ground and continue with sheep on less acreage.

Farm Business Tenancies have been used by several of our farming clients very successfully. If you would like more advice please contact one of our Rural Professional team.

**Jenny Layton Mills**  
Based at Knighton Office



With a long standing heritage in supporting the needs of the countryside economy McCartneys is one of the oldest and largest multi disciplined private practices in the United Kingdom. Offering a wide and comprehensive range of services across the Midlands and throughout Wales, McCartneys has a large dedicated team of professional experts specialising in all aspects of rural property, planning and business advice.

**Please contact one of our professional staff for sensible and impartial advice. For any further information about any of the content of this newsletter Please contact the editors Gareth Wall and Beth Hanson.**

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