



FARMING AND PROPERTY BULLETIN 2023 – ISSUE 5

THE ROCK REVIEW – THE GOVERNMENT’S RESPONSE

The Government has responded to The Rock Review which was published last October by the Tenancy Working Group with a detailed paper commenting on each of the seventy-four recommendations.

The key areas covered by The Rock Review are as follows:

- 21st Century Demands on Land
- Environmental Land Management
- Productivity and Investment
- Tenancy Agreements and Collaboration
- Private Markets and Natural Capital
- Tree Planting and Net Zero
- New Entrants
- Tax and Legislation

As part of that response the Minister of Agriculture announced in the House of Commons that the former Tenancy Reform Industry Group, which has been chaired by Julian Sayers since 2002, was to be replaced by the new Farm Tenancy Forum which he has been asked to Co-Chair together with a senior Defra civil servant.



The initial work of the Forum will be to monitor and support the implementation of the Government’s Response to The Rock Review feeding back actual experiences and insights as to progress. However, in addition there will be regular quarterly meetings attended by the Defra Farming Minister at which the Forum can report on trends within the tenanted sector and on emerging issues which need to be addressed.

In particular, the Forum will provide evidence and insights to Defra regarding farming policy and environmental land management schemes, both at the point of design and delivery, ensuring access to those in the tenanted sector. There will also be matters relating to agricultural tenancy legislation in both England and Wales and the opportunity to produce codes of practice and guidance for those who work in and support this all-important part of the farming industry.

The membership of the Forum will include those representing tenant farmers and landlords along with professional advisors to ensure balanced feedback from all perspectives and discussions to assist Defra. The group will therefore comprise individual representatives from the Tenant Farmers Association, National Farmers Union, National Federation of Young Farmers Club, Country Land & Business Association, Association of Chief Estate Surveyors, Institutional Landowners Group, Agricultural Law Association, Central Association of Agricultural Valuers and the Royal Institution of Chartered Surveyors. Each organisation is now being asked to nominate their representative for consideration by the Minister and Julian Sayers prior to confirmation of their appointment.

Julian Sayers hopes the Forum will start work during July and begin the process of implementing the group’s objectives this autumn. Anyone wishing to discuss matters relating the tenanted sector is welcome to contact him on 01235 862888 or julian.sayers@adkin.co.uk

SUSTAINABLE FARMING INCENTIVE

DEFRA has now published the Handbook for the Sustainable Farming Incentive 2023 (SFI 2023). Many of the requirements of the scheme – such as eligibility, management control, arrangements for common land – remain the same as those for SFI 2022.

It is expected that applications for SFI 2023 will open in August 2023 with a ‘controlled rollout’. To ease the launch of the new scheme, applications are temporarily closed. There is to be an application submission deadline, triggered on the opening of the application; the window for this will be publicised nearer to the launch of the 2023 scheme.

The SFI Pilot and SFI 2022 had a structure of Standards, with differing levels of management requirement as packages of actions. For example, applicants could choose the ‘Arable Soils Standard’ and then, within that, its ‘Intermediate’ level, which came with a suite of required actions to be completed. However, the structure of the SFI 2023 scheme moves away from this grouped approach to a ‘pick and mix’ model. In addition, some of the actions slated for 2024 have been brought forward to 2023. There is to be no maximum or minimum area and applications are non-competitive.

The new booklet can be found at: [SFI 2023 Handbook v1.0 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

ENGLAND RENTERS (REFORM) BILL



The Renters (Reform) Bill was introduced into Parliament for its second reading on 17th May 2023 by Michael Gove as Minister for the Department for Levelling Up, Housing and Communities. This is the stage at which the bill is debated before progressing to the Committee stage and so on until it becomes law. According to the government the intention is that the bill will deliver a “fairer, more secure, and higher quality private rented sector for both tenants and landlords”.

Major changes relevant to residential landlords include the proposal to abolish section 21 ‘no-fault’ evictions which is the current preferred and most timely route for gaining possession of a let residential property. The reasoning behind this change is so that tenants will feel empowered to challenge landlords over poor housing conditions without the fear of eviction.

Other significant changes include the abolition of AST or fixed term tenancies, making periodic tenancies (i.e. month to month) as standard and prohibiting the inclusion of rent review clauses in tenancy agreements. Instead, a statutory regime will apply so that rent cannot be increased more frequently than once a year and on two months’ notice. The tenant may either accept this or challenge it at a tribunal.

Although the bill does not introduce the ‘Decent Homes Standard’ currently applicable to the social sector, it does introduce a private sector rental database or “property portal” with the provision for compulsory membership of a landlord redress scheme or Ombudsman to help avoid disputes going to court. The Ombudsman will have powers to compel landlords to remedy issues and a right to impose fines of up to £25,000 for non-compliance.

Although primarily strengthening tenant rights, the bill amends several Section 8 grounds for possession, including introducing a wider range of provisions that a court or Ombudsman should consider around anti-social behaviour. It also clarifies other grounds for eviction including for repeated rent arrears, the sale of the property or for its use for agricultural workers or close relatives.

The private rented sector has seen unprecedented growth in recent years with an estimated 11 million private renters and 2.3 million landlords in England. The intention of the reform bill is to ensure that tenants not only have a greater degree of protection and home security, but that rental standards are upheld. The government must, however, be careful not to go too far in disincentivising landlords in the private rented sector in order to ensure a continued supply of much needed good quality rental homes.

FARMING EQUIPMENT AND TECHNOLOGY INVESTMENT FUND

The Farming Equipment and Technology Fund (FETF) provides grants to farming, horticultural or forestry businesses in England to support the acquisition of equipment, technology, and infrastructure designed to optimise productivity. As part of the scheme design, DEFRA invites farmers, industry experts, and stakeholders to contribute insights and shape the future of the fund.

The FETF provides funding for a set list of items, setting out the specification that each should meet to be eligible for grant funding. There are various ‘themes’ under the grant, including the ‘Productivity and Slurry’ theme. The previous round of that closed in April 2023. Ahead of the next round – which is expected in early 2024 – DEFRA are asking for opinions on the items available for funding, including new additions, change of specification and removal of items available from the previous round.

For the previous round, DEFRA added 21 new items to the list. These additions included equipment such as precision drilling tools for arable and cover crops, autonomous robotic drills for efficient seed placement and mechanical weeding, camera a-guided inter-row sprayers to minimise herbicide use, mulchers for forestry and orchards, and mobile chopper pumps for slurry transfer.

If you have a suggestion please complete the survey via this link <https://defrafarming.blog.gov.uk/2023/05/24/help-us-to-review-productivity-and-slurry-grant-items/>

