

# Land Business Tracker | August 2023

Welcome to our quarterly tracker of key land management, farming, planning and energy regulation and legislation.

Please contact your local Strutt & Parker rural team for further information on anything you read here.

## EMPLOYMENT

### Implement now

Regulation	Description	Key dates	Action
<p><b>National Living Wage and National Minimum Wage rates</b></p> <p>(UK) </p> <p><a href="#">Find out more</a></p> <p>NB This is separate to the voluntary 'real living wage' campaign, which increased its UK hourly rate to £10.90 from £9.90 from 22<sup>nd</sup> September 2022.</p>	<p>The rates for the National Living Wage (NLW) and the National Minimum Wage (NMW) have been increased to:</p> <ul style="list-style-type: none"> <li>NLW – workers aged 23 and over – £10.42, up 9.7% from £9.50. NB the lower age limit was previously 25 years old.</li> <li>NMW – 21 to 22 year olds – £10.18, up 10.9% from £9.18.</li> <li>NMW – 18 to 20 year olds – £7.49, up 9.7% from £6.83.</li> <li>NMW – 16 and 17 year olds – £5.28, up 9.7% from £4.81.</li> <li>NMW – apprentices – £5.28, up 9.7% from £4.81.</li> </ul>	<p>With effect from 1<sup>st</sup> April 2023.</p>	<p>Consider what changes in wage rates your business will apply.</p> <p>For more details or to speak about recommendations for wage reviews, speak to <a href="#">George Chichester</a>.</p>
<p><b>Personal Protective Equipment at Work (Amendment) Regulations 2022</b></p> <p>(UK) </p> <p><a href="#">Find out more</a></p>	<p>The new Regulations extend an employer's duty to provide PPE to more employees, including casual or irregular workers with an employment contract.</p>	<p>With effect from 6<sup>th</sup> April 2022.</p>	<p>Review all workers' terms of employment.</p> <p>Ensure PPE is provided when required.</p>

### Monitor now

<p><b>UPDATED</b></p> <p><b>Employment Relations (Flexible Working) Act 2023</b></p> <p>(England, Scotland and Wales)   </p> <p><a href="#">Find out more</a></p>	<p>The Act makes it easier for employees to request flexible working but it does not make flexible working an automatic right for employees. Employers are not able to refuse a request for flexible working until they have consulted with the employee.</p>	<p>Act passed and awaiting Royal Assent.</p>	<p>Understand the rights under the Act in case employees request flexible working.</p> <p>ACAS has published a <a href="#">draft Code of Practice</a> on handling requests for flexible working.</p>
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**ECONOMY**

**Implement now**

Regulation	Description	Key dates	Action
<p><b>Charities Act 2022</b> (England and Wales)</p>  <p><a href="#">Find out more</a></p>	<p>This Act makes changes to how charities can operate, in particular:</p> <ul style="list-style-type: none"> <li>• sell, lease or transfer land (due to come into effect in spring 2023).</li> <li>• greater flexibility to make use of ‘permanent endowment’ (due from spring 2023).</li> <li>• changes to how charities can amend their governing documents (due from autumn 2023).</li> </ul> <p>Other changes include paying trustees for providing goods and services to the charity, managing fundraising appeals and the operation of the Charity Tribunal.</p>	<p>First changes are implemented from 1<sup>st</sup> October 2022 onwards.</p> <p>The link has a useful list of when changes are expected to come into force.</p>	<p>Charities and trustees should be aware of the changes.</p>
<p><b>UPDATED</b></p> <p><b>Protect Duty / Terrorism (Protection of Premises) Bill</b></p> <p>(UK) </p> <p><a href="#">Find out more</a></p>	<p>This new ‘Duty’ aims to make the public safer at publicly accessible locations, including festivals, hotels, pubs and parks among other places.</p> <p>New ‘standard duties’ include a ‘terrorism evaluation’ which will apply to venues with a capacity of 100 people or more, and ‘enhanced duties’ include a terrorism risk assessment, security plan and to register the premises with the regulator at venues with a capacity of 800 people or more.</p>	<p>Expected to come into effect by the end of 2023.</p>	<p>Applies to most venues with a capacity of 100 people or more, including outdoor venues.</p> <p>Implement now, using the useful <a href="#">ProtectUK guidance</a>.</p> <p>Also consider how to make the public safer irrespective of the new legal duty.</p>

**Monitor now**

<p><b>UPDATED</b></p> <p><b>Retained EU Law (Revocation and Reform) Act</b></p> <p>(UK – but application varies) </p> <p><a href="#">Find out more</a></p>	<p>This Act introduces a sunset clause on retained EU law, which means that laws listed in the Act will expire by December 2023 unless an extension is agreed.</p>	<p>Act passed in June 2023.</p>	<p>Monitor.</p> <p>The legislation is now mostly concerned with redundant legislation rather than actively effective legislation.</p> <p>It is therefore expected to have a more limited impact than previously expected.</p>
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**ENVIRONMENT**

**Implement now**

<p><b>Controlling the felling of trees</b></p> <p>(UK) </p> <p><a href="#">Find out more</a></p>	<p>The Environment Act 2021 (Commencement No. 5 and Transitional Provisions) Regulations 2022 strengthen enforcement in relation to controlling the felling of trees. Felling without a licence can now incur an unlimited fine as well as other penalties.</p>	<p>With effect from 1<sup>st</sup> January 2023.</p>	<p>Ensure all felling is compliant.</p>
<p><b>Powers to enforce measures against hare coursing</b></p> <p>(England and Wales)</p> <p> </p> <p><a href="#">Find out more</a></p>	<p>New criminal offences have been created of trespass with the intention of using a dog to search for or pursue a hare; and being equipped to trespass with the intention of using a dog to search for or pursue a hare. Fines are unlimited upon conviction. There are also new powers to disqualify an offender from owning or keeping a dog.</p>	<p>With effect from 30<sup>th</sup> April 2022.</p>	<p>Be aware of the new measures.</p>

**Monitor now**

Regulation	Description	Key dates	Action
<p><b>Net Zero Strategy</b></p> <p>(UK) </p> <p><a href="#">Find out more</a></p>	<p>Sets out the UK Government's proposals to achieve net zero carbon emissions by 2050, including:</p> <ul style="list-style-type: none"> <li>• Decarbonisation pathways to net zero by 2050, including illustrative scenarios.</li> <li>• Policies and proposals to reduce emissions for each sector.</li> <li>• Cross-cutting action to support the transition.</li> </ul> <p>The Chris Skidmore-led review, commissioned by Liz Truss, concluded that, "investing in net zero today will be cheaper than delaying, as well as increasing the economic and climate benefits."</p> <p>The government is likely to be taken to court again on the adequacy of its Strategy.</p>	<p>Published 19<sup>th</sup> October 2021.</p> <p>The Skidmore review was published on 13<sup>th</sup> January 2023 and the government has completely or partially accepted 23 of the 25 recommendations.</p>	<p>Monitor.</p>
<p><b>Environmental targets and Environmental Improvement Plan</b></p> <p>(UK) </p> <p><a href="#">Find out more</a></p>	<p>The UK government published a suite of 13 Environmental Targets as required under the Environment Act 2021. They cover biodiversity on land and at sea; water quality and availability; woodland cover; resource efficiency and waste reduction; and air quality.</p> <p>It has also published its Environmental Improvement Plan which sets out how it intends to deliver the various targets.</p>	<p>Targets published on 16<sup>th</sup> December 2022.</p> <p>Environmental Improvement Plan published 31<sup>st</sup> January 2023.</p>	<p>Monitor.</p> <p>The government has been widely criticised for missing deadlines and lack of ambition.</p>
<p><b>Consultation on the draft revised Air Quality Strategy</b></p> <p>(UK) </p> <p><a href="#">Find out more</a></p>	<p>The revised draft Strategy includes a requirement that all local authorities take proactive action to improve air quality, whether or not they have an Air Quality Management Area.</p> <p>There is increasingly concern about the contribution of farming to poor air quality, from ammonia use.</p>	<p>Consultation closed on 21<sup>st</sup> April 2023 (after only being open for 10 days!)</p>	<p>Monitor.</p> <p>Farming is the main cause of the springtime smog that affects western Europe each year.</p>

<p><b>Local Nutrient Mitigation Fund: call for evidence and expression of interest</b></p> <p>(UK) </p> <p><a href="#">Find out more</a></p>	<p>The consultation is about the impact of nutrient mitigation schemes on development. Local authorities are also asked to submit projects or strategies to deliver nutrient mitigation and unlock housing delivery.</p>	<p>Consultation closed on 31<sup>st</sup> May 2023.</p>	<p>Monitor.</p>
<p><b>Taxation of environmental land management and ecosystem service markets</b></p> <p>(UK) </p> <p><a href="#">Find out more</a></p>	<p>This consultation seeks views on the taxation of ecosystem service markets and the potential expansion of agricultural property relief from inheritance tax.</p>	<p>Consultation closed on 9<sup>th</sup> June 2023.</p>	<p>Monitor.</p> <p>Beneficial changes to APR could be a significant enabler to habitat creation on farmland.</p>
<p><b>Water abstraction and impounding licensing in England: changes to the regulatory framework</b></p> <p>(England) </p> <p><a href="#">Find out more</a></p>	<p>The government has consulted on moving the regulation of abstraction and impounding licensing into the Environmental Permitting (England and Wales) Regulations 2016 from 2023 onwards. It also consulted on changes to groundwater activities and some related surface water discharge activities under the Environmental Permitting (England and Wales) Regulations 2016.</p>	<p>Consultations closed on 22<sup>nd</sup> December 2021.</p> <p>Government response was expected in summer 2022.</p>	<p>Monitor.</p> <p>The NFU reports that the move to the EPR may happen in October 2023.</p>
<p><b>NEW</b></p> <p><b>Developing local partnerships for onshore wind in England</b></p> <p>(England) </p> <p><a href="#">Find out more</a></p>	<p>The consultation is seeking views on improving community engagement when a wind site is proposed; and whether improvements can be made to the system of community benefits, so that communities directly benefit from hosting wind sites.</p>	<p>Consultation closed 7<sup>th</sup> July 2023.</p>	<p>Monitor.</p>
<p><b>Guiding principles on the environment: draft statutory guidance</b></p> <p>(Scotland) </p> <p><a href="#">Find out more</a></p>	<p>The Scottish Government is consulting on draft statutory guidance for the five guiding principles on the environment.</p>	<p>Consultation closed 8<sup>th</sup> February 2022.</p>	<p>Monitor.</p>
<p><b>New National Parks for Scotland</b></p> <p>(Scotland) </p> <p><a href="#">Find out more</a></p>	<p>NatureScot has published its Advice to Ministers on what new National Park(s) could deliver for Scotland and how they could be selected.</p> <p>The Scottish Government is expected to consult on the selection process, with a call for nominations expected in the second half of 2023.</p>	<p>The call for nominations is planned from October 2023 to February 2024.</p>	<p>Monitor.</p>
<p><b>Wildlife Management (Grouse) Bill</b></p> <p>(Scotland) </p> <p><a href="#">Find out more</a></p>	<p>The Bill, which implements the recommendations of the 'Werritty Report', includes licensing for grouse moor management, a new code of practice and banning glue traps.</p>	<p>At Stage 1 in the Scottish Parliament.</p>	<p>Monitor.</p>



<p><b>Draft Energy Strategy and Just Transition Plan consultation</b></p> <p>(Scotland) </p> <p><a href="#">Find out more</a></p>	<p>The Strategy and Plan set a vision for Scotland's energy system to 2045 and a route map of ambitions and actions, including sectoral plans.</p>	<p>Consultation closed on 9<sup>th</sup> May 2023.</p>	<p>Monitor.</p>
<p><b>NEW</b></p> <p><b>Circular Economy Bill</b></p> <p>(Scotland) </p> <p><a href="#">Find out more</a></p>	<p>The Bill will give Ministers powers to:</p> <ul style="list-style-type: none"> <li>• Set local recycling targets;</li> <li>• Set statutory targets to reduce waste and the nation's carbon footprint;</li> <li>• Ban the disposal of unsold consumer goods, and place charges on single-use items.</li> <li>• Give local authorities powers to crack down on fly-tipping.</li> </ul> <p>The Scottish Government will also work with local authorities to co-design an updated national Code of Practice for household waste recycling, to improve consistency.</p>	<p>The Bill was introduced in June 2023.</p>	<p>Monitor.</p>

**FARMING**

**Implement now**

Regulation	Description	Key dates	Action																														
<p><b>Agricultural support schemes</b></p> <p>(England) </p> <p><a href="#">Find out more</a></p> <p>NB Similar schemes will be separately developed for Scotland and Wales.</p>	<p>The seven-year transition period to move from EU-based rules to a new UK system started in January 2021. It includes:</p> <ul style="list-style-type: none"> <li>Reductions in Direct Payments under the Basic Payment Scheme (BPS) over a seven-year transition period starting in 2021:</li> </ul> <table border="1"> <thead> <tr> <th>Band £000</th> <th colspan="4">%</th> </tr> <tr> <th></th> <th>2021</th> <th>2022</th> <th>2023</th> <th>2024</th> </tr> </thead> <tbody> <tr> <td>&lt; £30</td> <td>-5%</td> <td>-20%</td> <td>-35%</td> <td>-50%</td> </tr> <tr> <td>£30 - 50</td> <td>-10%</td> <td>-25%</td> <td>-40%</td> <td>-55%</td> </tr> <tr> <td>£50 – 150</td> <td>-20%</td> <td>-35%</td> <td>-50%</td> <td>-65%</td> </tr> <tr> <td>&gt;£150</td> <td>-25%</td> <td>-40%</td> <td>-55%</td> <td>-70%</td> </tr> </tbody> </table> <ul style="list-style-type: none"> <li>Removal of greening rules from 2021 onwards.</li> <li>Relaxation of some cross-compliance rules.</li> <li>De-linking BPS payments so there is no requirement to farm the land.</li> <li>A new Environmental Land Management (ELM) scheme comprising three levels: <ul style="list-style-type: none"> <li>Sustainable Farming Incentive (SFI) (previously known as tier 1)</li> <li>Countryside Stewardship (previously known as Local Nature Recovery (and tier 2) and now includes options for working together)</li> <li>Landscape Recovery (tier 3)</li> </ul> </li> <li>A Slurry Infrastructure grant to help reduce pollution (opened November 2022).</li> <li>A replacement for the capital grant scheme for machinery and equipment (various schemes open).</li> </ul>	Band £000	%					2021	2022	2023	2024	< £30	-5%	-20%	-35%	-50%	£30 - 50	-10%	-25%	-40%	-55%	£50 – 150	-20%	-35%	-50%	-65%	>£150	-25%	-40%	-55%	-70%	<p>Various.</p> <p>Reductions in Direct Payments of 35 to 55% in 2023.</p> <p>There was a major announcement of details of the schemes on 26<sup>th</sup> January 2023.</p> <p>There is a consultation on rules on hedgerow management.</p>	<p>Read our <a href="#">Basic Payments 2023 guide</a> for key dates for the main schemes.</p> <p>Or <a href="#">download our one page chart</a> on when each scheme is likely to open.</p> <p>Speak to our farming and land management team to discuss how you could respond to the changes.</p> <p>Speak to <a href="#">Jonathan Armitage</a> to run your farm or estate through our model to assess how the transition to new farm support policies will affect your profits.</p>
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<p><b>The Official Controls (Plant Protection Products) Regulations 2020</b></p> <p>(England, Scotland and Wales)   </p> <p><a href="#">Find out more</a></p>	<p>Users and suppliers of plant protection products (PPPs) are required to register basic information about their activity with Defra.</p>	<p>The registration deadline for existing users was 22<sup>nd</sup> June 2022.</p>	<p>Implement.</p>																														

**Monitor now**

<p><b>Soil Carbon Code</b></p> <p>(UK) </p> <p><a href="#">Find out more</a></p>	<p>A Code is being developed that would allow farmers to quantify and verify reduced greenhouse gas emissions and / or soil carbon capture.</p>	<p>Recommendations for 'Minimum Requirements' for all farm soil carbon</p>	<p>Monitor.</p>
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	NB A separate code is also being developed for carbon stored in hedgerows.	programmes published December 2022.	
<p><b>Poultry and other captive birds: registration in Great Britain</b></p> <p>(England, Scotland and Wales)   </p> <p><a href="#">Find out more</a></p>	Proposals to (i) amend the current compulsory poultry registration requirements to all bird keepers or bird keepers with 10 or more birds and (ii) require all bird keepers to update their information on the register annually.	Consultation closed on 31 <sup>st</sup> May 2023.	Monitor.
<p><b>UPDATED</b></p> <p><b>Delivering our vision for Scottish agriculture - proposals for a new Agriculture Bill</b></p> <p>(Scotland) </p> <p><a href="#">Find out more</a></p>	<p>This Bill provides a framework for farming and other legislation and also includes proposals to modernise agricultural holdings and Scottish agricultural wages:</p> <ul style="list-style-type: none"> <li>• The Scottish Government’s Vision for Agriculture.</li> <li>• Emissions and nature restoration targets.</li> <li>• Building on minimum regulatory standards.</li> <li>• Just Transition.</li> <li>• Broad alignment to EU CAP objectives.</li> </ul>	<p>‘Route map’ on the transition published in Feb 2023.</p> <p>Announcement on ‘route map’ made at Royal Highland Show in June 2023.</p>	<p>Monitor.</p> <p>Bill expected in 2023.</p>
<p><b>UPDATED</b></p> <p><b>Agricultural (Wales) Bill</b></p> <p>(Wales) </p> <p><a href="#">Find out more</a></p>	<p>The proposed Bill would introduce:</p> <ul style="list-style-type: none"> <li>• A Sustainable Farming Scheme, which may include a require for 10% woodland cover and 10% of land used for habitat provision.</li> <li>• Agricultural support payments for farmers during a transition period.</li> <li>• Amendments to the Agricultural Holdings Act (AHA) 1986 on dispute resolution.</li> <li>• Altered powers for Natural Resources Wales to prevent environmentally damaging felling.</li> <li>• The prohibition of snares and glue traps.</li> </ul>	Act passed in June 2023 and awaiting Royal Assent.	Monitor.
<p><b>UPDATED</b></p> <p><b>Nutrient management: managing the application of livestock manures sustainably</b></p> <p>(Wales) </p> <p><a href="#">Find out more</a></p>	A proposal to introduce a licensing scheme to allow higher rates of livestock manures to be applied under certain circumstances.	Consultation closed on 17 <sup>th</sup> February 2023.	<p>Monitor.</p> <p>Scheme may be introduced from 31<sup>st</sup> October 2023 in order to allow more time to consider the consultation responses.</p>



**FOOD**

**Monitor now**

<p><b>Good Food Nation (Scotland) Act</b> (Scotland)  <a href="#">Find out more</a></p>	<p>The Act aims to address food-related issues by requiring the Scottish Government, local authorities and some public bodies to produce good food plans, so that Scotland is a Good Food Nation by 2025.</p>	<p>Act passed 26<sup>th</sup> July 2022. A Scottish Food Commission will be established.</p>	<p>Monitor.</p>
<p><b>Food (Wales) Bill</b> (Wales)  <a href="#">Find out more</a></p>	<p>The Bill aims to establish a more sustainable food system in Wales by establishing ‘Food Goals’; establishing a Welsh Food Commission; and requiring Welsh Ministers to prepare and publish a national food strategy.</p>	<p>The Bill was rejected but the Welsh Government has restarted work on the Community Food Strategy.</p>	<p>Monitor.</p>

**PLANNING**

**Implement now**

<p><b>UPDATED</b></p> <p><b>Permitted development rights: temporary recreational campsites, renewable energy and film-making consultation</b></p> <p>(England) </p> <p><a href="#">Find out more</a></p>	<p>The proposals include changes to permitted development rights for:</p> <ul style="list-style-type: none"> <li>• solar rights</li> <li>• solar canopies above off-street car parks in non-domestic settings</li> <li>• land to be temporarily used as a recreational campsite.</li> </ul>	<p>Consultation closed on 25<sup>th</sup> April 2023.</p>	<p>Monitor.</p> <p>From 26<sup>th</sup> July, permitted development rights are changed to allow campsites to open for up to 60 days in any calendar year, with up to 50 pitches and any moveable structure reasonably necessary for this purpose (NB this is subject to limitations and conditions).</p>
<p><b>UPDATED</b></p> <p><b>National Planning Framework 4</b></p> <p>(Scotland) </p> <p><a href="#">Find out more</a></p>	<p>The Scottish Government has adopted a revised National Planning Framework 4 (NPF4), which sets out its priorities and policies for the planning system up to 2045. NPF4 covers a wide range of topics, including national developments, the National Spatial Strategy and national policies.</p>	<p>Adopted on 13<sup>th</sup> February 2023, so is now part of the statutory development plan.</p>	<p>Review carefully.</p>
<p><b>UPDATED</b></p> <p><b>Local development planning - regulations and guidance: consultation</b></p> <p>(Scotland) </p> <p><a href="#">Find out more</a></p>	<p>Significant changes to development planning were made by the Planning (Scotland) Act 2019.</p> <p>To implement the changes, a number of documents are required and the Scottish Government is now inviting views on them. These documents include the National Planning Framework 4 (see above) and Local development planning guidance (published on 24<sup>th</sup> May 2023).</p>	<p>Two of the main pieces of planning guidance have been published. They will now be implemented by local authorities through #newstyleplans.</p>	<p>Review carefully.</p>
<p><b>UPDATED</b></p> <p><b>Permitted Development Rights review</b></p> <p>(Scotland) </p> <p><a href="#">Find out more</a></p>	<p>Phase 2 of this review is focussing on electric vehicle charging infrastructure, changes of use in town and local centres, and port development.</p> <p><a href="#">Phase 3</a> of the review includes extending Permitted Development Rights (PDRs) for:</p> <ul style="list-style-type: none"> <li>• household level solar, heat pumps and wind turbines</li> <li>• non-domestic buildings for solar and heat pumps</li> <li>• solar canopies in car parks</li> </ul>	<p>Legislative changes came into effect on 31<sup>st</sup> March 2023.</p> <p>Consultation on the Phase 3 proposals closes on 23<sup>rd</sup> August 2023.</p>	<p>Review carefully.</p>

**Monitor now**

Regulation	Description	Key dates	Action
<p><b>Levelling Up and Regeneration Bill</b></p> <p>(England and Wales)</p> 	<p>This replaces the earlier Planning Bill proposals. It is a wider Bill and includes:</p> <ul style="list-style-type: none"> <li>• Four broad policy objectives, which the government will have a legal duty to deliver.</li> <li>• Decentralisation of power to local leaders, including combined county authorities.</li> </ul>	<p>Currently at House of Lord's report stage.</p> <p>It is unclear what proposals are</p>	<p>Monitor.</p>

<p><a href="#">Find out more</a></p> <p>(See Technical consultation on the Infrastructure Levy below)</p>	<ul style="list-style-type: none"> <li>• A 'simple, non-negotiable, locally set' infrastructure levy to replace most of the current section 106 arrangements.</li> <li>• A new system of environmental assessment, called Environmental Outcomes Reports, that replaces SEAs and EIAs.</li> <li>• New 'street vote' powers, for residents on a street to put forward proposals to redevelop or extend their property.</li> </ul>	<p>likely to be supported as there are a significant number of government amendments.</p>	
<p><b>Technical consultation on the Infrastructure Levy</b></p> <p>(England) </p> <p><a href="#">Find out more</a></p>	<p>The proposal is to replace the current system of developer contributions, including section 106 agreements and the Community Infrastructure Levy, with a mandatory, locally determined Infrastructure Levy, which will be based on a local authority's Infrastructure Delivery Strategy.</p> <p>Part of the Levelling Up and Regeneration Bill (see above).</p>	<p>Consultation closed 9<sup>th</sup> June 2023.</p>	<p>Monitor.</p> <p>This could be a significant change to the planning process.</p>
<p><b>Planning Policy Wales: net benefit for biodiversity and ecosystems' resilience</b></p> <p>(Wales) </p> <p><a href="#">Find out more</a></p>	<p>Consultation on changes to policy on net benefit for biodiversity and ecosystems resilience, and on strengthening policy on designated sites.</p>	<p>Consultation closed on 31<sup>st</sup> May 2023.</p>	<p>Monitor.</p>

**PROPERTY**

**Implement now**

Regulation	Description	Key dates	Action
<p><b>UPDATED</b></p> <p><b>The Building Safety Act</b></p> <p>(UK) </p> <p>(Application varies nationally)</p> <p><a href="#">Find out more</a></p>	<p>The Act made significant changes to the regulatory regime for the construction of new buildings to which the Building Regulations apply, and gives residents more say in the management of their buildings:</p> <ul style="list-style-type: none"> <li>• The introduction of a Building Safety Regulator.</li> <li>• Revised / new roles under the Construction (Design and Management) Regulations 2015.</li> </ul> <p>There are additional proposals for higher risk buildings, including tall buildings.</p>	<p>Royal Assent received April 2022.</p> <p>Expected to be implemented in phases between 2022 and 2024.</p> <p><a href="#">Consultation</a> closed on 14<sup>th</sup> March 2023 on building control approvers.</p>	<p>Monitor.</p> <p>It can apply to large stately homes over 18 metres high and which contain flats.</p>
<p><b>Business rates relief</b></p> <p>(UK) </p> <p><a href="#">Find out more</a></p>	<p>Business rates relief is to continue for properties in the retail, hospitality and leisure sectors at up to 75% relief on rates bills, up to a maximum of £110,000 per business.</p>	<p>Ongoing until April 2024.</p>	<p>Ensure that eligible businesses continue to claim relief.</p>
<p><b>The Minimum Energy Efficiency Standards (MEES) – Non-domestic let property</b></p> <p> </p> <p><a href="#">Find out more</a></p>	<p>Buildings must have an EPC of the standard below or register a valid exemption to be let:</p> <p>From 1<sup>st</sup> April 2023 - EPC E or better (definite).</p> <p>From 1<sup>st</sup> April 2027 - EPC C or better (proposed).</p> <p>From 1<sup>st</sup> April 2030 - EPC B or better (proposed).</p>	<p>No date for confirmation of rise in EPC standards.</p>	<p>Start planning how to decarbonise existing property to meet new upcoming regulations on the pathway to Net Zero.</p>
<p><b>Boiler Upgrade Scheme (England and Wales)</b></p> <p> </p> <p><a href="#">Find out more</a></p>	<p>Grants of up to £6,000 per property to encourage domestic and non-domestic property owners to install low carbon heating systems, such as heat pumps or biomass boiler.</p>	<p>Scheme opened May 2022 until 2025.</p>	<p>Consider low carbon options when replacing boilers.</p>
<p><b>The Fire Safety Act 2021 (England and Wales)</b></p> <p> </p> <p><a href="#">Find out more</a></p> <p>NB <a href="#">Part B of The Building Regulations 2010</a>, which relates to fire safety, has also been amended and takes effect from 1<sup>st</sup> December 2022. A <a href="#">suite of 'Approved Documents'</a> has been published.</p>	<p>This Act clarifies which parts of a premises the Regulatory Reform (Fire Safety) Order 2005 (the FSO) applies to.</p> <p>The FSO applies to all non-domestic premises, including multi-occupied residential buildings such as blocks of flats <u>and farm buildings and construction sites</u>. Individual flats are excluded.</p> <p>The FSO requires a responsible person to undertake, and review regularly, a fire risk assessment of the building and maintain precautions that manage the risk of fire.</p> <p>Other amendments to the 2005 Order introduce new fire safety measures for high rise residential buildings.</p>	<p>Royal Assent received April 2021.</p> <p>Sections 1 (premises to which the FSO applies) and 3 (guidance on duties under the FSO) take effect from 16<sup>th</sup> May 2022.</p> <p>The Act is in force in Wales from 1<sup>st</sup> October 2021.</p>	<p>Review fire risk assessments for relevant properties.</p>

<p><b>The Land Reform (Scotland) Act 2016 (Register of Persons Holding a Controlled Interest in Land) Regulations 2021</b></p> <p>(Scotland) </p> <p><a href="#">Find out more</a></p>	<p>The aim of the Regulations is to increase transparency in relation to who has control over decision-making over land, including vacant and derelict land, by establishing a register of persons holding an interest.</p>	<p>The register became operational on 1<sup>st</sup> April 2022.</p>	<p>Non-compliance carries criminal penalties, although there is a transitional period until 1<sup>st</sup> April 2024.</p>
<p><b>Land and Buildings Transaction Tax</b></p> <p>(Scotland) </p> <p><a href="#">Find out more</a></p>	<p>The Additional Dwelling Supplement has been increased to 6% from 4% on second and additional homes.</p> <p>The extra revenue, which is estimated at £34m pa, will be used to support the NHS and other public services.</p>	<p>With effect from 16<sup>th</sup> December 2022.</p> <p>There has been a <a href="#">further consultation</a> on this in February 2023.</p>	<p>Be aware of the change.</p> <p>The Scottish Government has not responded to the consultation yet.</p>
<p><b>NEW</b></p> <p><b>Ban on the installation of fossil fuel and biomass heating systems in new buildings</b></p> <p>(Scotland) </p> <p><a href="#">Find out more</a></p>	<p>The Regulations have been amended to ban the installation of direct emission heating systems (i.e., fossil fuel and biomass systems) in <u>new domestic and non-domestic buildings</u> from 1<sup>st</sup> April 2024.</p> <p>NB This change does not apply to alterations to, or extension of, pre-2024 buildings.</p>	<p>With effect from 1<sup>st</sup> April 2024.</p>	<p>Review whether it affects any planned projects.</p>
<p><b>Second homes in Wales – higher council tax</b></p> <p>(Wales) </p> <p><a href="#">Find out more</a></p>	<p>The Council Tax (Long-term Empty Dwellings and Dwellings Occupied Periodically) (Wales) Regulations 2022 allow a local authority to increase the council tax charged by up to 300% on long-term empty dwellings or a dwelling occupied periodically.</p>	<p>With effect from 1<sup>st</sup> April 2023.</p>	<p>Review whether it affects any properties owned.</p>
<p><b>Second homes in Wales – statutory licensing scheme</b></p> <p>(Wales) </p> <p><a href="#">Find out more</a></p>	<p>Proposals to address second homes in Wales which include introducing a statutory licensing scheme and changes to land transaction tax (see below).</p> <p>Three new planning use classes – a primary home, a second home and short-term holiday accommodation – came into effect on 20<sup>th</sup> October 2022.</p>	<p>Planning uses introduced in October 2022.</p>	<p>Monitor.</p>

**Monitor now**

Regulation	Description	Key dates	Action
<p><b>Heat and buildings strategy</b></p> <p>(UK) </p> <p><a href="#">Find out more</a></p> <p>NB The Scottish Government separately published its <a href="#">Heat in</a></p>	<p>As part of the UK Government's Net Zero Strategy, and building on the earlier 2017 Clean Growth Strategy, proposals to decarbonise buildings include:</p> <ul style="list-style-type: none"> <li>• Phasing out installation of new gas boilers by 2035.</li> <li>• Phasing out the installation of fossil fuel heating systems in properties not connected to the gas</li> </ul>	<p>Published 19<sup>th</sup> October 2021.</p> <p>Implementation of many measures will need further consultation and regulation.</p>	<p>Start planning how to decarbonise existing property to meet new upcoming regulations on the pathway to Net Zero.</p> <p>Take advantage of the Boiler Upgrade</p>

<p><a href="#">Buildings Strategy</a> in October 2021 which requires all owner occupied homes to be EPC band C or better where technically feasible and cost effective. It will publish a Heat in Buildings Bill in 2023 / 24.</p>  <p>NB See Boiler Upgrade Scheme above.</p>	<p>grid from 2024 for non-domestic property and 2026 for domestic property.</p> <ul style="list-style-type: none"> <li>• Reductions in costs of heat pumps by 25-50% by 2025 with grants for installation.</li> <li>• Changes in electricity pricing to encourage use of heat pumps. Additional funding for research into low carbon technologies.</li> <li>• Minimum EPC ratings of C for houses by 2030 - 2035.</li> <li>• To increase the cost cap on a landlord's investment to £10,000 (inc VAT) from £3,500.</li> <li>• Introduce a 'fabric first' approach to energy improvements.</li> <li>• Requiring the private rented sector to support the uptake of smart meters.</li> </ul>	<p>Policy implementation is piecemeal and delayed.</p>	<p>Scheme (see elsewhere in this Tracker) and home insulation schemes.</p>
<p><b>Energy Bill: Energy Performance of Premises</b></p> <p>(UK) </p> <p><a href="#">Find out more</a></p>	<p>The Bill aims to deliver a cleaner, more affordable and more secure energy system for the long term, building on the British Energy Security Strategy.</p> <p>A consultation was announced which includes metrics used in Energy Performance Certificates (EPCs) but it has not happened yet.</p>	<p>At report stage in the House of Lords.</p>	<p>Monitor.</p>
<p><b>Modernising the reservoir safety regime</b></p> <p>(UK) </p> <p><a href="#">Find out more</a></p>	<p>The government has committed to reform the regulatory regime of the Reservoirs Act following the independent Balmforth Review.</p>	<p>Changes will be made from 2023 onwards over a number of years.</p>	<p>Monitor.</p>
<p><b>NEW</b></p> <p><b>Consultation on rental auctions for vacant high street property</b></p> <p>(England) </p> <p><a href="#">Find out more</a></p>	<p>The consultation is on whether and how to allow a local authority to auction a lease to a property that has been vacant for a required period.</p>	<p>Consultation closed 7<sup>th</sup> July 2023.</p>	<p>Monitor.</p>
<p><b>UPDATED</b></p> <p><b>Land Reform Bill</b></p> <p>(Scotland) </p> <p><a href="#">Find out more</a></p>	<p>The Bill aims to address concerns about the highly concentrated pattern of land ownership in rural areas of Scotland. Proposed measures include:</p> <ul style="list-style-type: none"> <li>• The introduction of a public interest test for transfers of large-scale landholdings.</li> <li>• A requirement on owners of large-scale holdings to give prior notice to community bodies of their intention to sell.</li> <li>• A requirement on those seeking land-based subsidies to have the land registered in the Land Register, to ensure transparency around who benefits from public funding.</li> </ul>	<p>Responses to Land Reform in a Net Zero Scotland consultation published 2 June 2023.</p> <p>Bill expected to be introduced by end of 2023.</p>	<p>Monitor.</p>
<p><b>Council tax on second and empty homes / non-domestic rates: consultation</b></p> <p>(Scotland) </p> <p><a href="#">Find out more</a></p>	<p>The consultation is on whether:</p> <ul style="list-style-type: none"> <li>• Councils should be able to charge 100% or more additional council tax on second and empty homes.</li> <li>• Whether the current non-domestic rates thresholds for self-catering accommodation should change, and/or if councils should have discretion to set them.</li> </ul>	<p>Consultation closed 11<sup>th</sup> July 2023.</p>	<p>Monitor.</p> <p>Summary of consultation responses will be published in a consultation report.</p>



<p><b>NEW</b></p> <p><b>Energy Performance Certificate Reform Consultation</b></p> <p>(Scotland) </p> <p><a href="#">Find out more</a></p>	<p>The Scottish Government is consulting on how to reform domestic and non-domestic EPCs to make them appropriate, accessible and clear. The Government plans to introduce the reformed EPC shortly after amended Energy Performance of Buildings Regulations are introduced in Winter 2023-24 and ahead of proposed Heat in Buildings regulations being introduced.</p>	<p>Consultation closes 16<sup>th</sup> October 2023.</p>	<p>Monitor.</p>
<p><b>Second homes in Wales - higher Land Transaction Tax</b></p> <p>(Wales) </p> <p><a href="#">Find out more</a></p>	<p>The Welsh Government is consulting on introducing a 4% additional rate of Land Transaction Tax on purchases of dwellings which are not the owner's main residence and are used on an occasional basis.</p>	<p>Consultation closed 28<sup>th</sup> March 2022.</p>	<p>Monitor.</p>
<p><b>NEW</b></p> <p><b>Securing a path towards adequate housing including fair rents and affordability</b></p> <p>(Wales) </p> <p><a href="#">Find out more</a></p>	<p>The Welsh Government is consulting on how to improve the supply and adequacy of housing over time, including on fair rents and affordability.</p>	<p>Consultation closes 15<sup>th</sup> September 2023.</p>	<p>Monitor.</p>

**RESIDENTIAL LETTINGS**

**Implement now**

Regulation	Description	Key dates	Action
<p><b>Right to Rent checks</b></p> <p>(UK) </p> <p><a href="#">Find out more</a></p>	<p>Landlords and agents need to ask prospective tenants for original documents or a share code to prove their right to live in the UK.</p> <p>Updated <a href="#">guidance for landlords</a> was published in February 2023. It mostly concerns changes to identity documentation and checks, which took place from 26<sup>th</sup> January 2023.</p> <p>Updated <a href="#">‘How to Rent’ guidance</a> for tenants was published in March 2023.</p>	<p>With effect from 6<sup>th</sup> April 2022.</p> <p>Various new guidance published.</p>	<p>Confirm that tenancy set-up procedures are up-to-date.</p> <p>For more details speak to <a href="#">Sarah Roberts</a>.</p>
<p><b>Electrical safety in the private rented sector</b></p> <p>(England) </p> <p><a href="#">Find out more</a></p> <p>NB Similar regulations apply in Scotland.</p>	<p>The Regulations require landlords to have electrical installations in privately rented homes checked every five years.</p> <p>Properties that already have a report will not need to replace it until five years have passed since it was issued <u>if no changes have been made to the electrical system</u>.</p>	<p>With effect from 1<sup>st</sup> July 2020 for new tenancies.</p> <p>With effect from 1<sup>st</sup> April 2021 for existing tenancies.</p>	<p>Anyone commissioning a check must make sure that it is done by someone competent and with current qualifications.</p> <p>Review whether reports have passed their five year anniversary.</p> <p>Download our <a href="#">checklist</a>.</p> <p>For more details speak to <a href="#">Sarah Roberts</a>.</p>
<p><b>Domestic smoke and carbon monoxide alarms</b></p> <p>(England) </p> <p><a href="#">Find out more</a></p>	<p>Landlords are required to fit a carbon monoxide alarm:</p> <ul style="list-style-type: none"> <li>In any room used as living accommodation where there is a fixed combustion appliance.</li> <li>Next to all fixed combustion appliances of any fuel type (excluding gas cookers).</li> </ul> <p>Alarms must be fitted in each storey which has living accommodation.</p>	<p>With effect from 1<sup>st</sup> October 2022.</p>	<p>All landlords should fit alarms as soon as possible.</p>
<p><b>UPDATED</b></p> <p><b>Cost of Living (Tenant Protection) (Scotland) Bill 2022</b></p> <p>(Scotland) </p> <p><a href="#">Find out more</a></p>	<p>This imposes a temporary cap on the majority of residential rent increases. It has been set at 3% until 31<sup>st</sup> September 2023. Landlords can apply to the Rent Service Scotland to increase rents (by a maximum of 6%) if their costs have risen.</p> <p>There is also a moratorium on evictions except in a limited number of circumstances until 31<sup>st</sup> September 2023 and an increase in the damages which can be awarded in cases of unlawful eviction.</p>	<p>Revised rent cap with effect from 1<sup>st</sup> April 2023.</p> <p>The Government intends to extend the rent cap to 31<sup>st</sup> March 2024.</p> <p>The legal challenge by a group of landlords associations should be decided in late summer.</p>	<p>Review all tenancies to ensure none have had rent increases greater than the cap.</p>

<p><b>Repairing standard: statutory guidance for landlords</b></p> <p>(Scotland) </p> <p><a href="#">Find out more</a></p>	<p>This guidance outlines the standard which private landlords are required to comply with from 1<sup>st</sup> March 2024. New measures include changes on safe kitchens, heating systems and a requirement for residual current devices.</p>	<p>With effect from 1<sup>st</sup> March 2024.</p>	<p>Review all tenancies to assess whether they comply and plan any work required to meet the standard.</p>
<p><b>Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022</b></p> <p>(Scotland) </p> <p><a href="#">Find out more</a></p>	<p>Scottish landlords letting property on short-term lets (e.g., Air BNB) now require a local authority licence. This covers home letting and home sharing.</p>	<p>With effect from 1<sup>st</sup> October 2022.</p>	<p>Ensure all landlords who let properties this way are registered.</p>
<p><b>Renting Homes (Amendment) (Wales) Act 2021</b></p> <p>(Wales) </p> <p><a href="#">Find out more</a></p>	<p>The Act introduced a 'standard contract' for the private rented sector. It also extends the minimum notice period for tenancies from two months to six months from 1<sup>st</sup> June 2023 and changes the <a href="#">process for regaining possession</a>.</p> <p>Existing tenancy agreements will convert to the new format on 15<sup>th</sup> July 2022 and a written statement in the new format must be issued to the contract holder by 1<sup>st</sup> June 2023.</p> <p>Other changes include requiring properties to be fit for human habitation (FFHH) and to have a working carbon monoxide alarm in every room where there is a gas, oil or solid fuel burning appliance.</p>	<p>With effect from 1<sup>st</sup> December 2022.</p> <p>The Welsh Government is also running a <a href="#">wide consultation</a> on the private rented sector.</p>	<p>Confirm that tenancy procedures and contracts are up-to-date as the Act makes significant changes to the previous laws.</p> <p>Fit carbon monoxide alarms as soon as possible.</p>
<p><b>The Non-Domestic Rating (Amendment of Definition of Domestic Property) (Wales) Order 2022</b></p> <p>(Wales) </p> <p><a href="#">Find out more</a></p>	<p>Regulations to ensure that let residential property used for a holiday business is genuinely available for such use.</p> <p>The regulations raise the number of days the property <u>must be available</u> to 252 days from 140 and <u>must be let</u> to 182 days from 70.</p>	<p>With effect from 14<sup>th</sup> June 2022.</p> <p>Landlords must provide evidence of availability and letting from 1<sup>st</sup> April 2023.</p>	<p>Review whether it affects any properties owned.</p>

**Monitor now**

<p><b>UPDATED</b></p> <p><b>Renters' Reform Bill and A Fairer Private Rented Sector White Paper</b></p> <p>(England) </p> <p><a href="#">Find out more</a></p>	<p>The Bill contains a wide range of proposals, including ending a landlord's ability to serve section 21 notices to end an Assured Shorthold Tenancy without a specified reason. These are often called 'no-fault evictions'. Instead landlords will be able to use a revised and strengthened court process.</p> <p>Other changes include: tenants being allowed to keep pets; preventing landlords from banning lets to families with children or those in receipt of benefits; an independent tribunal to assess rent increases; a new Private Rented Sector Ombudsman.</p>	<p><a href="#">A Fairer Private Rented Sector White Paper</a> was published on 16<sup>th</sup> June 2022.</p> <p>Bill at second reading in the House of Commons.</p>	<p>Landlords should consider the potential impact of the proposed changes on their properties.</p> <p>For more details speak to <a href="#">Sarah Roberts</a>.</p>
<p><b>The Decent Homes Standard</b></p>	<p>Proposals in the <i>A Fairer Private Rented Sector White Paper</i> are to introduce a legally binding</p>	<p>Consultation closed 14<sup>th</sup></p>	<p>Monitor.</p>

<p>(England) </p> <p><a href="#">Find out more</a></p>	<p>Decent Homes Standard for the private rented sector. It would cover meeting current standards under the Housing Health and Safety Rating System (HHSRS); that property is in a reasonable state of repair; has reasonable facilities and services; and provides a reasonable degree of thermal comfort.</p>	<p>October 2022 and proposals are likely to be part of the Renters' Reform Bill.</p>	
<p><b>Government review into short-term tourist accommodation</b></p> <p>(England) </p> <p><a href="#">Find out more</a></p> <p>For Scotland, see Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 above.</p>	<p>The government is now consulting on (i) the introduction of <a href="#">a use class for short term lets</a> and permitted development rights where there are no local issues with such uses and (ii) introducing a <a href="#">registration scheme for short-term lets</a> so local authorities can assess whether they are causing local issues.</p>	<p>Both consultations closed on 7<sup>th</sup> June 2023.</p>	<p>Monitor.</p>
<p><b>A New Deal for Tenants - draft Rented Sector Strategy consultation</b></p> <p>(Scotland) </p> <p><a href="#">Find out more</a></p>	<p>This wide ranging consultation sought views on how the Scottish Government can deliver its vision that by 2040 everyone living in Scotland will have access to an affordable, high quality and energy efficient home.</p> <p>Consultation responses were published 23<sup>rd</sup> August 2022.</p>	<p>Publication of the final version of the Strategy was expected by the end of 2022.</p>	<p>Monitor.</p>
<p><b>Energy Efficiency (Domestic Private Rented Property) (Scotland) Regulations</b></p> <p>(Scotland) </p> <p><a href="#">Find out more</a></p>	<p>Previous proposals have been replaced by these new regulations, which require all private rented sector properties to meet a minimum standard equivalent to EPC C by 2025, <u>where technically feasible and cost-effective, at change of tenancy</u>. All remaining existing properties must comply by 2028.</p> <p>NB The previous proposal to require private rented sector properties to reach an EPC D by 2025 have been withdrawn.</p> <p>NB The consultation for <i>A New Deal for Tenants</i> included questions on energy efficiency. It is not known how the responses may change these Regulations.</p>	<p>Further consultation is planned before new rules are proposed for implementation in 2024.</p>	<p>Monitor.</p> <p>Review property compliance and prepare for implementation of minimum standards, which will benefit tenants, reduce energy demand and make properties more lettable.</p>
<p><b>UPDATED</b></p> <p><b>Consultation on a statutory licensing scheme for all visitor accommodation providers</b></p> <p>(Wales) </p> <p><a href="#">Find out more</a></p>	<p>Proposals for a licensing scheme to address concerns about a 'level playing field' in terms of compliance with existing requirements and the impact of short-term lets on communities.</p>	<p>Consultation responses published 5<sup>th</sup> July 2023.</p>	<p>Monitor.</p> <p>The Welsh Government is still proposing that all visitor accommodation providers must meet certain requirements in order to obtain a licence.</p>

**TAXATION****Implement now**

<b>Regulation</b>	<b>Description</b>	<b>Key dates</b>	<b>Action</b>
<b>Annual Investment Allowance and 130% 'super-deduction'</b>  (UK)  <a href="#">Find out more</a>	The Annual Investment Allowance, which provides tax relief on expenditure on plant and machinery assets of up to £1 million, has been made permanent.	The <a href="#">130% super allowance</a> ended on 31 <sup>st</sup> March 2023. It is replaced by full expensing.	Review expenditure programmes.  For more detail, speak to our director of tax, <a href="#">Jonathan Smith</a> .
<b>Registration of Trusts with HMRC</b>  (UK)  <a href="#">Find out more</a>	All UK trusts in existence after 6 <sup>th</sup> October 2020 must be registered with HMRC. This even applies to trusts that have been terminated and is regardless of any tax liability. There are some exemptions.	With effect from 1 <sup>st</sup> September 2022.	Check all trusts with legal or tax advisers.



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