






# Land Business Tracker | November 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>UPDATED</b></p> <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 will increase its UK hourly rate to £12 from £10.90 from 1<sup>st</sup> May 2024.</p>	<p>The rates for the National Living Wage (NLW) and the National Minimum Wage (NMW) will be increased to the following from 1<sup>st</sup> April 2024:</p> <ul style="list-style-type: none"> <li>NLW – workers aged 21 and over – £11.44, up 9.8% from £10.42. NB the lower age limit was previously 23 years old. The previous category for 21 to 22 year olds is now included in this one.</li> <li>NMW – 18 to 20 year olds – £8.60, up 14.8% from £7.49.</li> <li>NMW – under 18 year olds – £6.40, up 21.2% from £5.28.</li> <li>NMW – apprentices – £6.40, up 21.2% from £5.28.</li> </ul>	<p>With effect from 1<sup>st</sup> April 2024.</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, contact <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>
<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 it 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>Royal Assent granted July 2023.</p>	<p>Understand the rights under the Act in case employees request flexible working.</p> <p>Consultation on a <a href="#">draft Code of Practice</a> on handling requests for flexible working by ACAS closed in September 2023.</p>
<p><b>NEW</b></p> <p><b>Workers (Predictable Terms and Conditions) Act 2023</b></p>	<p>Introduces a new statutory right for workers to request a more predictable working pattern.</p> <p>Has some overlap with the Employment Relations (Flexible Working) Act.</p>	<p>Expected to come into effect in late 2024, so giving employers about a year to prepare.</p>	<p>Prepare to review staff employment policies to ensure compliance.</p>




Regulation	Description	Key dates	Action
England, Scotland and Wales)    <a href="#">Find out more</a>			

**ECONOMY**

**Implement now**

<b>Regulation</b>	<b>Description</b>	<b>Key dates</b>	<b>Action</b>
<p><b>'Protect Duty' in the 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>NEW</b></p> <p><b>Improving broadband for Very Hard to Reach premises</b></p> <p>(UK) </p> <p><a href="#">Find out more</a></p>	<p>Latest in a series of consultations on broadband, with this one on how to connect the @ 100,000 homes that are likely to be too costly to connect to a gigabit-capable connection and require government intervention to provide them with an ultrafast broadband connection.</p> <p>A separate consultation has happened on reviewing the broadband Universal Service Obligation.</p>	<p>Consultation closed 27<sup>th</sup> November 2023.</p>	<p>Monitor.</p> <p>The government target is to ensure that 95% of the UK's geographic landmass has 4G coverage from at least one mobile network operator by 2025 through the Shared Rural Network (SRN) programme and that all populated areas should have standalone 5G by 2030.</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>
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**Monitor now**






Regulation	Description	Key dates	Action
<p><b>UPDATED</b></p> <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>Monitor.</p> <p>The government has completely or partially accepted 23 of the 25 recommendations.</p> <p>However, the government has since abandoned or amended a number of net zero policies, mainly in the Prime Minister’s speech on 20<sup>th</sup> September.</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>NB The UK Priority Habitat Indicator index of 228 priority species is 37% of its base-line value in 1970.</p>
<p><b>UPDATED</b></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>This 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>The Office for Environmental Protection has published its response to the revised Strategy.</p>	<p>Monitor.</p> <p>Farming is the main cause of the springtime smog that affects western Europe each year.</p>
<p><b>Taxation of environmental land management and</b></p>	<p>This consultation seeks views on the taxation of ecosystem service markets and the potential</p>	<p>Consultation closed on 9<sup>th</sup> June 2023.</p>	<p>Monitor.</p>

<p><b>ecosystem service markets</b></p> <p>(UK) </p> <p><a href="#">Find out more</a></p>	<p>expansion of agricultural property relief from inheritance tax.</p>	<p>Government response awaited.</p>	<p>Beneficial changes to APR could be a significant enabler to habitat creation on farmland.</p> <p>S&amp;P has analysed the benefits of a change with think tank ECIU.</p>
<p><b>NEW</b></p> <p><b>Extended Producer Responsibility</b></p> <p>(UK) </p> <p><a href="#">Find out more</a></p>	<p>Under the EPR, packaging producers will be made responsible for the full cost of managing the packaging they place on the market. The aim is to incentivise producers to avoid, reduce and recycle packaging. The introduction of fees on packaging produced has been delayed by a year to October 2025, following consultation with industry and cost-of-living pressures.</p> <p>NB Other timescales have not changed and producers still have to report packaging data for 2023.</p>	<p>EPR fees on packaging delayed until October 2025.</p>	<p>Monitor.</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 late 2023.</p>
<p><b>UPDATED</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>The government has received <a href="#">no new applications</a> for onshore wind farms in England since it eased planning rules earlier this year. Only one turbine has become operational.</p>
<p><b>NEW</b></p> <p><b>Tackling the Nature Emergency - strategic framework for biodiversity: consultation</b></p> <p>(Scotland) </p> <p><a href="#">Find out more</a></p>	<p>A consultation on Scotland's Strategic Framework for Biodiversity, including the first 5-year Delivery Plan for the Scottish Biodiversity Strategy, and elements of the proposed Natural Environment Bill.</p>	<p>Consultation closes on 14<sup>th</sup> December 2023.</p>	<p>Monitor.</p>
<p><b>UPDATED</b></p> <p><b>New National Parks for Scotland</b></p> <p>(Scotland) </p>	<p>The Scottish Government launched the nomination process for new National Parks on 12<sup>th</sup> October 2023.</p>	<p>Proposals must be submitted by 29<sup>th</sup> February 2024.</p>	<p>Monitor.</p>

<p><a href="#">Find out more</a></p>			
<p><b>UPDATED</b></p> <p><b>Wildlife Management and Muirburn (Scotland) 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. Consideration of draft report extended to 1<sup>st</sup> December 2023.</p>	<p>Monitor.</p>
<p><b>UPDATED</b></p> <p><b>Draft Energy Strategy and Just Transition Plan</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 responses published 28<sup>th</sup> September 2023.</p> <p>Draft Strategy to be published by summer 2024.</p>	<p>Monitor.</p>
<p><b>UPDATED</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 and is at Stage 1.</p>	<p>Monitor.</p>

**FARMING**

**Implement now**

Regulation	Description	Key dates	Action																													
<p><b>UPDATED</b></p> <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 (see below).</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 rowspan="2">Band £000</th> <th colspan="4">%</th> </tr> <tr> <th>2024</th> <th>2025</th> <th>2026</th> <th>2027</th> </tr> </thead> <tbody> <tr> <td>&lt; £30</td> <td>50%</td> <td>63%</td> <td>75%</td> <td>88%</td> </tr> <tr> <td>£30 - 50</td> <td>55%</td> <td>66%</td> <td>78%</td> <td>89%</td> </tr> <tr> <td>£50 - 150</td> <td>65%</td> <td>74%</td> <td>83%</td> <td>91%</td> </tr> <tr> <td>&gt;£150</td> <td>70%</td> <td>78%</td> <td>85%</td> <td>93%</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. Delinked payments will be made twice a year.</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 (round two open until 17<sup>th</sup> January 2024).</li> <li>A replacement for the capital grant scheme for machinery and equipment (various schemes open).</li> </ul>	Band £000	%				2024	2025	2026	2027	< £30	50%	63%	75%	88%	£30 - 50	55%	66%	78%	89%	£50 - 150	65%	74%	83%	91%	>£150	70%	78%	85%	93%	<p>Various.</p> <p>Reductions in Direct Payments of 35 to 55% in 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>																													
<p><b>UPDATED</b></p> <p><b>Agricultural (Wales) Act</b></p> <p>(Wales) </p>	<p>The Act introduces:</p> <ul style="list-style-type: none"> <li>A Sustainable Farming Scheme, which may include a requirement for 10% woodland cover and 10% of land used for habitat provision.</li> </ul>	<p>Act passed and Royal Assent granted in August 2023.</p>	<p>Monitor.</p>																													



<p><a href="#">Find out more</a></p>	<ul style="list-style-type: none"> <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>	<p>The Sustainable Farming Scheme will be co-designed over 2024 and introduced in 2025.</p>	
<p><b>Monitor now</b></p>			
<p><b>UPDATED</b></p> <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>NB A separate code is also being developed for carbon stored in hedgerows and for salt marshes.</p>	<p>Recommendations for 'Minimum Requirements' for all farm soil carbon programmes published December 2022.</p>	<p>Monitor.</p> <p>Since the December 2022 report was published, the British Standards Institute has been tasked with developing a UK-wide standards' framework.</p>
<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>	<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.</p>	<p>Consultation closed on 31<sup>st</sup> May 2023.</p>	<p>Monitor.</p>
<p><b>UPDATED</b></p> <p><b>Agriculture and Rural Communities (Scotland) 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>• Ensuring tenant farmers, smallholders and crofters are supported in delivering the Vision.</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>Announcement on '<a href="#">route map</a>' made at Royal Highland Show in June 2023.</p> <p>Bill at Stage 1 in September 2023.</p> <p>Strategic environmental assessment <a href="#">consultation</a> closes in December 2023.</p>	<p>Monitor.</p>
<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>	<p>Regulations introduced for an 'Enhanced Nutrient Management approach' that allows farms with 80% or more grassland to apply up to 250kg/ha nitrogen from livestock manures during 2024, subject to environmental protection measures.</p>	<p>Applies from 1<sup>st</sup> January 2024.</p> <p>Detailed guidance expected in December.</p>	<p>Monitor.</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>UPDATED</b> <b>Community Food Strategy</b> (Wales)  <a href="#">Find out more</a></p>	<p>The Food (Wales) Bill was rejected but the Welsh Government has committed to developing a Community Food Strategy to encourage the production and supply of locally-sourced food in Wales.</p>		<p>Monitor.</p>

**PLANNING**

**Implement now**

**UPDATED**

**Levelling Up and Regeneration Act**  
(England and Wales)



[Find out more](#)

This replaces the earlier Planning Bill proposals. It is a wider Act and includes:

- Establishing 'levelling up missions', which the government will have a legal duty to deliver.
- Decentralisation of power to local leaders, including combined county authorities.
- A new 30-month deadline for local authorities to make new plans; removal of the local authority 'duty to co-operate'; and introduction of new area-wide design codes.
- New powers for local authorities to refuse or revoke planning applications where developers can be shown to be too slow in proceeding with proposals.
- New National Development Management Policies (NDMPs) which will sit separately to the National Planning Policy Framework and cover issues of national importance such as climate change, greenbelt and heritage.
- A 'simple, non-negotiable, locally set' infrastructure levy to replace most of the current section 106 arrangements.
- A new system of environmental assessment, called Environmental Outcomes Reports, that replaces SEAs and EIAs.
- New 'street vote' powers, for residents on a street to put forward proposals to redevelop or extend their property.

Royal Assent granted October 2023.

Review carefully.  
Government proposals to remove requirements for nutrient neutrality in certain catchments were defeated in the House of Lords but the government may try to remove them through another process.

**Permitted development rights: temporary recreational campsites, renewable energy and film-making**

(England)

[Find out more](#)

The proposals include changes to permitted development rights for:

- solar rights
- solar canopies above off-street car parks in non-domestic settings
- land to be temporarily used as a recreational campsite ( or 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).

With effect from 26<sup>th</sup> July 2023.

Review carefully.

**National Planning Framework 4**

(Scotland)

[Find out more](#)

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.

Adopted on 13<sup>th</sup> February 2023, so is now part of the statutory development plan.

Review carefully.

**Permitted Development Rights review**

(Scotland)

[Find out more](#)

Phase 2 of this review is focussing on electric vehicle charging infrastructure, changes of use in town and local centres, and port development.

[Phase 3](#) of the review includes extending Permitted Development Rights (PDRs) for:

- household level solar, heat pumps and wind turbines.

Legislative changes came into effect on 31<sup>st</sup> March 2023.


Consultation on the Phase 3 proposals closed

Review carefully.











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| <ul style="list-style-type: none"> <li>• non-domestic buildings for solar and heat pumps.</li> <li>• solar canopies in car parks.</li> </ul> | on 23 <sup>rd</sup> August 2023. |
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**Monitor now**

Regulation	Description	Key dates	Action
<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>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. One of its roles is to approve inspectors as building control approvers.</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>UPDATED</b></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>Extended by a year to April 2025.</p>	<p>Ensure that eligible businesses continue to claim relief.</p>
<p><b>NEW</b></p> <p><b>New rules for small sewage discharges from septic tanks or sewage treatment plants</b></p> <p>(England and Wales)</p> <p> </p> <p><a href="#">Find out more</a></p>	<p>The general binding rules that apply to new and existing discharges to surface water or the ground have been changed. The rules set minimum conditions and limits set by Environmental Permitting Regulations.</p>	<p>With effect from 2<sup>nd</sup> October 2023.</p>	<p>Review carefully.</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>UPDATED</b></p> <p><b>Boiler Upgrade Scheme</b></p> <p>(England and Wales)</p> <p> </p> <p><a href="#">Find out more</a></p>	<p>Grants of up to £7,500 per property (so higher than before) to encourage domestic and non-domestic property owners to install low carbon heating systems, such as heat pumps or biomass boilers.</p>	<p>Scheme opened May 2022 until 2025.</p>	<p>Consider low carbon options when replacing boilers.</p>
<p><b>The Land Reform (Scotland) Act 2016</b></p>	<p>The aim of the Regulations is to increase transparency in relation to who has control over</p>	<p>The register became</p>	<p>Non-compliance carries criminal penalties,</p>

<p><b>(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>decision-making over land, including vacant and derelict land, by establishing a register of persons holding an interest.</p>	<p>operational on 1<sup>st</sup> April 2022.</p>	<p>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 further consultation yet.</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 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>UPDATED</b></p> <p><b>Heat and buildings strategy</b></p> <p>(UK) </p> <p><a href="#">Find out more</a></p> <p>NB see the Scottish Government strategy below.</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 the ones below. However, following Prime Minister's speech on 20<sup>th</sup> September 2023 a number of them have been abandoned or amended (see notes in brackets but there is uncertainty about the changes).</p> <ul style="list-style-type: none"> <li>• Phasing out installation of new gas boilers by 2035. (Still in place).</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>Policy implementation is piecemeal and delayed.</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 Scheme (see elsewhere in this Tracker) and home insulation schemes.</p>

<p>NB See Boiler Upgrade Scheme above.</p> 	<p>grid from 2024 for non-domestic property and 2026 for domestic property. (Abandoned)</p> <ul style="list-style-type: none"> <li>• Reductions in costs of heat pumps by 25-50% by 2025 with grants for installation. (Grants increased to £7,500 per heat pump).</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. (Abandoned).</li> <li>• To increase the cost cap on a landlord's investment to £10,000 (inc VAT) from £3,500. (Abandoned, we think).</li> <li>• Introduce a 'fabric first' approach to energy improvements. (Still in place).</li> <li>• Requiring the private rented sector to support the uptake of smart meters. (Still in place).</li> </ul>	<p>Proposals on minimum EPC ratings for rented properties abandoned following Prime Minister's speech on 20<sup>th</sup> September 2023.</p>	
<p><b>Energy Act: Energy Performance of Premises</b></p> <p>(UK) </p> <p><a href="#">Find out more</a></p> <p>NB see the Scottish Government Energy Performance Certificate Reform Consultation below.</p> 	<p>The Act 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>Royal Assent received October 2023.</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>Fire safety of domestic upholstered furniture</b></p> <p>(UK) </p> <p><a href="#">Find out more</a></p>	<p>Review of the provisions of the Furniture and Furnishings (Fire) (Safety) Regulations 1988.</p>	<p>May come into effect from 1<sup>st</sup> October 2024 with an 18-month transition period until 1<sup>st</sup> April 2026.</p>	<p>Monitor.</p>
<p><b>NEW</b></p> <p><b>Leasehold and Freehold Bill</b></p> <p>(England) </p> <p><a href="#">Find out more</a></p>	<p>Proposals, and consultation, to phase out leasehold tenure, and so ground rents, for new houses (but not new flats).</p>	<p>Bill introduced in November 2023.</p>	<p>Monitor.</p>
<p><b>Consultation on rental auctions for vacant high street property</b></p> <p>(England) </p>	<p>The consultation is on whether and how to allow a local authority to auction a lease to a property that is persistently vacant. NB Local authorities <u>will have the option</u> to implement auctions, but do not have to.</p>	<p>Consultation closed 7<sup>th</sup> July 2023.</p>	<p>Monitor.</p>

<p><a href="#">Find out more</a></p>			
<p><b>NEW</b>  <b>Heat in Buildings Bill</b>          (Scotland)   <a href="#">Find out more</a></p>	<p>The Scottish Government has drafted proposals for a new Heat in Buildings Bill. It will include:</p> <ul style="list-style-type: none"> <li>• An outright ban on all fossil-based heating for buildings by 2045 for non-domestic premises and homes.</li> <li>• New mandatory, minimum energy efficiency standard for homes (for rented property by the end of 2028, and for owner-occupied homes by the end of 2033).</li> <li>• No exemptions for landlords - if properties do not meet the new standard, the landlord will not be allowed to lease to a new tenant if the existing tenant leaves.</li> </ul>	<p>Initial consultation closes 8<sup>th</sup> March 2024.           Bill expected to pass in 2025.</p>	<p>Monitor.</p>
<p><b>UPDATED</b>  <b>Energy Performance Certificate Reform Consultation</b>          (Scotland)   <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 closed 16<sup>th</sup> October 2023.</p>	<p>Monitor.           Timing of implementation may change to follow the UK Government's timeline for development of Standard Assessment Procedures (SAP) 11, which is planned be launched in 2025.</p>
<p><b>UPDATED</b>  <b>Land Reform Bill</b>          (Scotland)   <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 land holdings.</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<sup>nd</sup> June 2023.           Bill expected to be introduced by end of 2023.           Consultation on related Members' Bill ended 26<sup>th</sup> September 2023.</p>	<p>Monitor.</p>
<p><b>UPDATED</b>  <b>Council tax on second and empty homes / non-domestic rates: consultation</b>          (Scotland)   <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.           The Scottish Government has <a href="#">reinstated</a> its intention to implement the council tax premium by April 2024.</p>
<p><b>Securing a path towards adequate housing including fair rents and affordability</b></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 closed 15<sup>th</sup> September 2023.</p>	<p>Monitor.</p>











<p>(Wales) </p> <p><a href="#">Find out more</a></p>			
<p><b>NEW</b></p> <p><b>Update of the Council Tax system</b></p> <p>(Wales) </p> <p><a href="#">Find out more</a></p>	<p>The consultation seeks views on how changes should be made to the structure of Council Tax to make it fairer and more progressive, and update the property valuations used.</p>	<p>Consultation closes 6<sup>th</sup> February 2024.</p>	<p>Monitor.</p>






## RESIDENTIAL LETTINGS

### Implement now

Regulation	Description	Key dates	Action
<p><b>UPDATED</b></p> <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> in October 2023.</p> <p>Updated '<a href="#">How to Rent</a>' guidance for tenants was published in March 2023 and updated in October.</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 if no changes have been made to the <a href="#">electrical system</a>.</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) Act 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 at least 31<sup>st</sup> March 2024 following a further extension. 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> March 2024 and an increase in the damages which can be awarded in cases of unlawful eviction.</p>	<p>Revised rent cap extended to at least 31<sup>st</sup> March 2024.</p> <p>A legal challenge against the cap was turned down.</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 (RCDs).</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 Local Government and Housing Committee is undertaking an inquiry into 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>Improving the energy performance of privately rented homes in England and Wales – Consultation</b></p> <p>(England and Wales)</p> <p> </p> <p><a href="#">Find out more</a></p>	<p>Proposals included:</p> <ul style="list-style-type: none"> <li>All new tenancies from 1 April 2025 and all existing tenancies by 1 April 2028 must meet band C or higher on an EPC.</li> <li>The requirement for landlords to install 'fabric first' measures e.g. insulation.</li> <li>Powers for tenants to request improvements and redress where a property is in breach.</li> </ul>	<p>Proposals on EPC ratings abandoned following Prime Minister's speech on 20<sup>th</sup> September 2023.</p> <p>Proposals on 'fabric first' measures still in place (we think).</p>	<p>Irrespective, plan how to decarbonise existing property.</p>
<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</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 report stage in the House of Commons.</p>	<p>The government has said that the repeal of the ability to serve section 21 notices <a href="#">will be delayed</a> until the associated court procedures are in place.</p> <p>For more details speak to <a href="#">Sarah Roberts</a>.</p>

	benefits; an independent tribunal to assess rent increases; a new Private Rented Sector Ombudsman.		
<p><b>UPDATED</b></p> <p><b>The Decent Homes Standard</b></p> <p>(England) </p> <p><a href="#">Find out more</a></p>	Proposals in the <i>A Fairer Private Rented Sector</i> White Paper are to introduce a legally binding Decent Homes Standard for the private rented sector. It would cover meeting standards under the Housing Health and Safety Rating System (HHSRS), which are <a href="#">expected to be revised</a> ; that property is in a reasonable state of repair; has reasonable facilities and services; and provides a reasonable degree of thermal comfort.	<p>Consultation closed 14<sup>th</sup> October 2022.</p> <p>A second consultation is expected in late 2023 / 2024.</p>	Monitor.
<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>	The government has consulted 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.	Both consultations closed on 7 <sup>th</sup> June 2023.	Monitor.
<p><b>NEW</b></p> <p><b>Housing Bill</b></p> <p>(Scotland) </p> <p><a href="#">Find out more</a></p>	<p>Following the <i>A New Deal for Tenants</i> consultation in 2022, proposals have been confirmed for a new Housing Bill, which will include:</p> <ul style="list-style-type: none"> <li>Align private rented sector tenants more closely with the social rented housing sector.</li> <li>Establish a regulator for the private rented sector.</li> <li>Implement a national system of rent controls for the private rented sector before 2024.</li> <li>Create a new Housing Standard covering all homes.</li> <li>Set minimum standards for energy efficiency and zero emissions heating.</li> </ul>	<p>The Bill is in the legislative programme for 2023-24.</p> <p>It is expected to include measures on rent caps and evictions similar to those in the Cost of Living Bill.</p>	<p>Monitor.</p> <p>The government is carrying out exercises to <a href="#">gather information</a> on private rented sector reform.</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, <a href="#">where technically feasible and cost-effective, at change of tenancy</a>. 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>	Linked to the Housing Bill (see above).	<p>Monitor.</p> <p>Prepare for implementation of minimum standards, which will benefit tenants, reduce energy demand and make properties more lettable.</p>
<p><b>Consultation on a statutory licensing scheme for all visitor accommodation providers</b></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.	Consultation responses published 5 <sup>th</sup> July 2023.	<p>Monitor.</p> <p>The Welsh Government is still proposing that all visitor accommodation providers must meet certain requirements in</p>



(Wales)



[Find out more](#)

order to obtain a licence.



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