

NEWS WITH YOU IN MIND

NEWS • ADVICE • TIPS



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robinson
+ hall

WINTER 2023

Welcome to our winter newsletter

As we conclude 2023, we have been fortunate enough to work with many of our clients on exciting projects this year. From planning, renovations, boundary disputes and farm business advice to land purchase, sales, lettings and auctions, our comprehensive range of services means that we can cater for most projects from start to finish. The goal is always to add value and achieve our clients objective.

Once again, we have a lot of news to share which we hope you would find useful. Our newsletter includes a landowner's guide to utility works, the changes to the Levelling-up and Regeneration Act, advice on how to improve your buildings to enhance the Energy Performance Certificate rating, a useful guide on commercial lettings and a farmland market update to name a few.

We will continue to provide you with any important updates via our monthly email newsletters and on social media. Please make sure you follow us and register on our marketing database to benefit. Just email marketing@robinsonandhall.co.uk with your details.

If you require any further information on the topics covered or any other land or property related matters, please contact me or one of my colleagues.

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Guide to commercial lettings

Diversification of rural buildings can involve a change to a huge variety of uses and can be rewarding for land owners, seeing disused buildings put to a new use and creating a new income stream.

Due to an increase in online shopping over the years, the storage and distribution market remains the most robust in the commercial property sector and has seen an increase in demand in 2023. Where we have buildings to let for storage in rural areas, we are seeing continued demand and increases to rents received. There is also demand for workshops and, despite struggling in recent years, there is some demand in rural offices.

At Robinson & Hall, we can advise on the letting of a property from start to finish. Our commercial team often works with our building surveyors and planners to advise clients on improvements they can make to a property prior to letting to ensure all regulations are met. We can then market the property and ensure that the best rent is achieved

from a suitable tenant. Our commercial team manage numerous properties on behalf of landlords and our building surveyors can advise on any dilapidations etc at the end of the lease term.

Prior to letting a property it is important to consider the type of tenant you are looking for. You can then give thought to whether improvements are needed to the property to attract that type of tenant. For example, do they need:

- + Security
- + Outside storage areas
- + Large access doors
- + Good lighting
- + Water
- + Welfare facilities

Thought also needs to be given to how the site will be used and whether that will affect neighbouring properties. Factors to consider are:

- + Permitted use
- + Access routes
- + Parking
- + Noise
- + Working hours

Once a suitable tenant has been found, we progress to agreeing heads of terms. As well as the items already mentioned, at this stage we also agree the following with the tenant:

- + Rent
- + Deposit
- + Length of the tenancy
- + Repairing liabilities
- + Insurance
- + Service charges
- + Tenant's improvements
- + Sub-letting
- + Security of tenure
- + Any other terms specific to the building or its use

At the end of a lease, our building surveyors are often asked to act for either landlords or tenant to prepare or respond to schedules of dilapidations. Recently, a long-established hairdresser on Bedford's High Street decided not to renew their lease and, having been served a Schedule of Dilapidations by their landlord, turned to our Building Surveying department for advice. Following examination of the schedule, we were able to identify items of the claim that were outside

the scope of the repairing covenants of the lease. Eventually a settlement was reached with the landlord's surveyor at 45% of the original claim.

To find out more about the commercial services we offer, please contact Milena or Stuart.



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Have you applied for the Sustainable Farming Incentive?

As we continue to see annual reductions to the Basic Payment Scheme monies received from Government, farmers and land managers can take advantage of applying for schemes such as the Sustainable Farming Incentive (SFI) in order to help to bridge this financial gap.

The SFI scheme is now open for 2023 applications, with the actions included in the scheme focussed towards providing flexibility to farmers and land managers, and offering options which have something suitable for every type of farm. Additionally, the scheme is not competitive and therefore anyone who applies (subject to being eligible) is guaranteed to be offered an agreement.

There are 23 actions offered as part of the 2023 SFI scheme, relating to soil health, hedgerows, pest and nutrient management, moorland, buffer strips, grassland and arable land, with higher payments being made for the more complex actions. It is likely

that most farmers and land managers will already be undertaking some of these actions in the existing day-to-day management of their holding, and therefore it would be prudent for them to apply for the SFI, in order to receive a financial benefit for this.

The payment rates for the actions under SFI have been aligned to be similar to Countryside Stewardship options, so that you do not lose out financially, regardless of which scheme you choose to enter. There is also a management payment for entering into the SFI scheme, with £20 per hectare being paid for up to the first 50 hectares of land entered into an agreement. This is to help to account for the administration costs that may be incurred for managing an SFI agreement.

The SFI agreements run for 3 years, with farmers and land managers able to upgrade their agreement annually, either by including more land or adding

more actions. An annual declaration must be submitted to the Rural Payments Agency confirming that all actions have been complied with.

With further actions being rolled out in 2024, this year is a good opportunity for farmers and land managers to enter into the SFI to gain an understanding of how the scheme works for them, as well as providing a guaranteed income for their business, with the option to upgrade or expand their agreement further next year. Payments under the SFI are made quarterly, which provides a regular cash flow for farmers and land managers.



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For more information or for help on applying for SFI, please contact me.

Farmland Market Update

Globally and nationally, we are in testing times. Interest rates, inflation and energy prices remain stubbornly high and certainly at levels which have not been seen for several decades. Labour costs also remain high, with shortages in most sectors. International tensions in Ukraine and now in Israel/Palestine provide further threats to our domestic security.

As a result, many sectors are struggling, including manufacturing, transport and leisure. House prices are falling, the value of investment properties is falling and the international property markets in many parts of the globe are suffering quite badly. In domestic agriculture, we still

have relatively high fuel and fertiliser prices together with a shortage of experienced farm labour and an extreme shortage of seasonal labour. Commodity prices generally are lower than a year ago and profits are feeling the pinch.

Nevertheless, despite all this gloom, farmland values continue to go from strength to strength. There is virtually no decent arable

land selling for less than **£10,000 per acre**, and to see **prices rise to £12,000, £14,000 and even £16,000 per acre** where there is local demand is far from uncommon.

Significant blocks of grassland in the central and eastern counties might not be so keenly pursued, but complete farms of 500 acres or more have been in short supply.

There remains considerable cash within the farming community from rollover funds, with farmers looking to relocate to their dream holding. Regrettably, the choice of such holdings has been

limited and selling agents have had little difficulty in securing sales.

There continues to be significant funds available from outside the farming community as well. In difficult times, land is seen as a safe bet. With stock markets difficult to predict and with

other property investments in decline, considerable money has been coming into the farmland market.

The number of unsatisfied buyers from the 2023 season is substantial and this can only mean increased demand in 2024. Without a significant increase in supply, which seems unlikely, I would predict that prices will either maintain their current levels or increase yet again in 2024. Generally speaking, farmers are not under pressure from their banks and I see no reason why there should be significantly more farms on the market next year.

Finally, I would highlight a phenomenon at the lower end of the market. Paddocks, small

pieces of woodland, off-lying rundown buildings, old railway embankments and the like may hold no real value to a farmer. However, on the open market, these seemingly useless items can secure extraordinary prices if marketed correctly. We tend

to put these properties through our regular property auction. The competitive environment of the sale room brings the best out in bidders, and the results can be extraordinary. Farming clients have been able to sell an asset which has no value to them

but which enables them to pay off the overdraft, pay the school fees, erect a new grain store or upgrade the combine.

To conclude, agricultural land

is often compared to gold. It provides a safe investment in difficult times. Where the demand is rising and the supply remains static, we can only see a strong market through 2024.

For more information or to discuss the opportunities available to you, please contact David.



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A landowner's guide to utility works

With land ownership or occupation, it is almost inevitable that at some point a utility company will need to cross your land to lay a new pipe, cable or other apparatus. Receiving notice of impending works from a utility company is always daunting, but as the utility companies generally have statutory powers to enter land, it is something which needs to be tackled head on.

Given the number of utility projects taking place in our region at present, we thought it would be useful to give key points/tips to assist those affected.



1. Early Engagement

We tend to find that engaging with the utility company, their agents or contractors at an early stage improves the outcome for the affected party. Once a scheme has been designed, it is often difficult to agree changes and therefore early engagement allows you to raise concerns during the design stage thus giving the contractors time to build these into the scheme design, where possible. Our advice is that if you do receive a letter of intended works, either engage with the company directly or

let us know and we can do so on your behalf as soon as possible after receiving information regarding the proposals for the scheme.



2. Statutory Notices

Where the utility company has statutory powers of entry, there is a requirement for formal notices to be served. We always check these notices to ensure they have been properly served and are legally effective.



3. Keeping Records

The utility company should compensate you for your reasonable time spent on the scheme and reasonable agent's and solicitor's fees. From the outset of the scheme, you should therefore keep a diary of any time you spend liaising with the utility company so that we have the evidence to include in the claim for compensation.



4. Record of Condition

Most utility companies will take a record of condition prior to works commencing. If they do, it is important to ask for a copy to ensure it is adequate. Alternatively, or in addition, it is often useful to take your own record of condition. The record of condition can then be used to ensure the land is reinstated to the same condition as prior to the works and compensation can be claimed if it is not.



5. Soil Storage & Management

The utility company should be mindful of the soil type and how to manage it during the works. Where soil is stripped, the topsoil and subsoil should be stored separately to allow proper reinstatement. If additional cultivations are required post-reinstatement, these can be included in the claim for compensation.



6. Access

The utility company should do its best to maintain access to land severed by the scheme during the works and thereafter. If access is restricted, either temporarily or permanently, this can be factored into any claim for compensation.



7. Drainage

Land drainage is often affected by works to lay pipes or cables. Ensuring the drains are properly reinstated after the works is key to minimising yield reductions in future years. If drainage plans are available, providing these to the utility company at an early stage means drainage

can be factored into the scheme design rather than as an afterthought. For some schemes we are able to agree comprehensive drainage works but, even for smaller schemes, we always ask that the location of any drains found during the works are GPS mapped and that the farmer has the opportunity to inspect any repairs prior to reinstatement of the soil.



8. Claiming Compensation

The utility company is required to compensate you for any losses incurred as a result of the scheme. This includes the value of any land permanently acquired, devaluation of land, crop

loss, your time, professional fees and any other properly incurred losses. When we put together compensation claims, we may be required to provide evidence to accompany the claim to prove the losses. Therefore, the more information you can give us with regard to additional cultivations, loss of crop, issues with drainage, etc, the easier it is to make the claim and the quicker the claim can be settled.

Whilst no one wants utility works on their land, they are an inevitable consequence of land ownership. It is therefore important to make the best of a bad situation and work, as far as possible, with the utility company to minimise the long-term effect on your holding. Robinson & Hall has extensive experience in acting for landowners against utility companies, so if you do receive notice of impending works, please contact one of our rural team for advice.



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The Levelling-up Act gives more control to residents

The Levelling-up and Regeneration Bill received Royal Assent on 26th October 2023 and is now officially the Levelling-up and Regeneration Act 2023. However, some of the sections relating to development management and plan-making have not commenced and will require secondary legislation.

It is intended that the Act will, among other things, help in delivering new housing, regenerating high streets and bringing vacant properties back to life.

Some of the key changes are:

- + A simpler alternative to the neighbourhood planning process will be introduced, providing communities with a more accessible way to set out their key priorities and preferences for their local areas.
- + The scope of Local Plans will be limited to locally specific matters and issues that apply in most areas will be covered by a new suite of national policies.
- + Councils will have the power to decline to determine applications from applicants who have been slow to implement previous permissions across their entire authority areas.
- + Residents will be given greater control over developments through a 'street vote' system which will permit residents to propose development on their street and hold a vote on whether planning permission should be given.
- + A new levy will replace Section 106 planning obligations and the Community Infrastructure Levy.
- + Loopholes preventing or delaying planning enforcement will be closed.
- + The period for taking enforcement action will be increased in all cases to 10 years except in Wales where 4 years will continue to apply for certain developments.
- + Planning application fees will be raised by 35% and 25% for major and minor applications respectively on 6th December 2023.
- + Tools to force developers to complete schemes will be made easier for authorities to use.

- + A new duty will be introduced on councils to grant sufficient permission for self and custom build housing to include pre-existing, unmet demand for this type of housing.
- + The Secretary of State can allow planning inspectors the power to conduct proceedings "wholly or partly remotely".

All the changes are designed to ensure that developments are sustainable and more energy efficient and with the aim of speeding up the planning process.

If you would like more information on the above or would like to find out how our Planning & Development team can help you take advantage of the changes being introduced to the planning system, please contact me.



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Rents are rising...

New statistics show that average rents across the country have risen sharply with demand outstripping supply, resulting in record rents for landlords. Average rents across the country have risen to **£1,278 per calendar month** outside of London, which now means on average rents have **increased by 10%** from last year.

Robinson & Hall has found that many tenants are relocating from London to live in rural areas for lifestyle reasons, being able to work from home being one of the main factors. This therefore results in them being able to afford a better property than they would have if they stayed in the region.

Is your property winter ready?

With winter around the corner, we have made it our priority to inspect the

properties we manage to ensure they are winter ready. We have supplied tenants with maintenance advice to minimise the risk of issues arising, in addition to keeping the landlord informed of the condition of their property by supplying a detailed inspection report.

Checklist for landlords during the winter months:

- + Blocked guttering and downpipes – the guttering system should not be showing any signs of cracks or leaks and should be clear of debris, allowing water in the guttering to flow freely. If water penetrates the brickwork, this could lead to damp and damage to the masonry.
- + Roofs – missing, broken tiles and damaged flashing can result in damage to the building, potentially incurring costly redecoration works.
- + Pipework – a pipe can burst when a section of the pipe freezes causing water pressure to build up. To prevent flooding and dampness, we suggest insulating the pipes and keeping the heating on low to reduce the risk.

- + Radiators – we advise tenants to bleed the radiators as there may be trapped air inside. Releasing the air allows the radiator to fully heat up and gives the property the best chance of warming up. It will also save money on energy bills.
- + Boilers – Robinson & Hall will notify the landlord each year when the gas safety check is due. We also recommend a service is undertaken at the same time.

Included within our managed service, we supply tenants with an out of hours emergency telephone number, which is monitored by a member of our knowledgeable lettings team, meaning all emergency issues can be dealt with swiftly.

For more information or to book a no obligation lettings appraisal to find out what rent your property could achieve, please call me.



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Guide to designing a project

Our Architecture & Building Surveying team has the design flair and practical experience to be able to prepare all the drawings and lead you through the process of designing your building project. We have designed many new builds, refurbishments, extensions and conversions for domestic and commercial projects and provide the following step by step guide, outlining some of the critical considerations.

01

Confirm a detailed design brief

The brief needs to agree key aspects of the design, including the accommodation you require, the size of the structure, your budget, practical considerations, energy efficiency requirements and any other aspirations that are important to the character of the development.

02

Prepare an initial sketch scheme

This is a working document and often evolves. Sometimes several schemes will be prepared as there is often more than one way of delivering the brief. It all depends on the level of detail required and the type of development being applied for.

03

Assess the scheme

Our in-house team will review the relevant local authority planning policies and guidelines. We often submit a pre-application enquiry to obtain initial advice and establish if there are any potential difficulties with what is being proposed. This also establishes if any additional third party specialist reports may be required to accompany a full planning application.

04

Develop the scheme

The proposed details of the scheme will be completed taking into account any relevant pre-application comments. We prepare all the necessary drawings and coordinate all the relevant information to submit the planning application.

05

Technical details and working drawings

To cover all the technical aspects, we submit an application to the Building Control authority. The working drawings detail the type of construction, materials to be used, dimensions and technical aspects. They can also often be a good basis to obtain initial builders' prices for the works.

06

The Party Wall etc. Act 1996

Our in-house team has the expertise to advise if your project falls under the Party Wall etc. Act 1996. We can also advise you of your obligations under the Construction, Design and Management Regulations (CDM). Both are essential aspects to ensure you comply with all the relevant legislation.

07

Project management

We offer project management services which include preparing a fully detailed specification based upon the working drawings. We coordinate the procurement process, advise you on suitable builders and can obtain competitive tenders for your complete project.

08

Unforeseen problems

When working with listed buildings or existing structures, many unforeseen matters can arise which require expert technical advice to agree the best way forward. We regularly work with heritage structures and have the expertise to find practical and appropriate solutions.

09

Cost control and programming

Good communication is always key with any construction project. We will liaise closely with you and the builder at regular stages to ensure things run smoothly and you achieve the right outcome. We carry out all the contract administration and guide you through the process to ensure your project finishes on time and within the agreed budget.

10

The “as built” drawings and completion

Upon completion, we prepare a snagging list of any items which require attention. Once this is complete, the project is ready to handover. We also prepare all the as built drawings and include details of all the materials used on the project. This document is a useful reference tool for the building owner.

We can help with all aspects of the design process from the initial feasibility and sketch schemes, the planning process and right through to arranging builders to develop your project.



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Commercial landlords still need to comply with Energy Performance Certificate (EPC) rules

The recent Government announcements regarding changes to the requirements for Energy Performance Certificates (EPCs) only covered domestic properties, therefore if you are a commercial landlord, the rules have not changed. In this article, I provide a brief recap on the legislation and what commercial property owners should still be aware of.

Since April this year, it has been unlawful to receive rent for a property with an EPC rating of F or G. There are financial penalties for landlords not complying with the legislation, therefore it is critical you carry out a review of your property portfolio to ensure all your properties meet or exceed the minimum EPC rating of E.

Whilst the Government is stalling on providing greater clarity of future legislation requirements, we know many financial institutions are already restricting lending for any poorly rated EPC properties in a landlord's portfolio. This is not only for new lending but also placing greater emphasis on only energy efficient properties

when refinancing existing loans.

With more and more focus on energy efficiency and achieving minimum EPC ratings, now is the time for property owners to plan sensible improvements to ensure they don't get left behind.

Property leases are already changing to reflect more efficient buildings, and the cost of energy is still very high. Tenants are therefore paying more attention to EPC ratings with inefficient buildings often struggling to let.

We know that both the requirements for EPCs and the Minimum Energy Efficiency Standards legislation is very challenging and confusing to some landlords and therefore it is critical you obtain the correct advice.

Please contact us to ensure you plan ahead, to review how energy efficient your buildings currently are and to agree how best to ensure the minimum grades can be achieved. We



can't always predict future legislative changes, however we can help to ensure your buildings meet the minimum standards, not only for now but also futureproofing for years to come. This will ensure your buildings continue to be attractive to tenants and maintain your rental income.

If you require help on how to review your commercial EPC and the changes you need to make so you don't get caught out, then please give me a call.



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What's new at Robinson & Hall?

We have moved to Oakley!

We are delighted to announce that our Bedford office has moved to Unit 1, Highfield Court, Highfield Road, Oakley, Bedford MK43 7TA.

All our contact details remain the same. If you would like to discuss any land or property related matters with us, then feel free to visit our new offices or give us a call. We hope to see you soon.

Elim Wong joins our Planning team

Elim joined us in October 2023. She is an experienced Chartered Planner.

Prior to joining Robinson & Hall she worked for the Housing Department for the Hong Kong Government for 10 years as Planning Officer and specialised in public housing, development, planning and engineering feasibility study and project management.



Katie Cross qualifies as a Rural Chartered Surveyor

Many congratulations to Katie Cross who passed her RICS exams last month and is now a qualified surveyor. Katie has been studying at Harper Adams University for 5 years, alongside her work at Robinson & Hall, and we're all proud that her hard work has paid off.

Have you spotted Auction's NEW For Sale boards?

As part of the re-brand from Auction House to Robinson & Hall Auctions, we decided to revamp the auction boards.

When it comes to selling your property, first impressions matter. Our eye-catching "Going, Going, Gone" boards are turning heads.

We're dedicated to making your property stand out and ensuring it gets the attention it deserves.



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