



# NFU

## TENANTS' SERVICE



# WELCOME

The Tenants' Forum draws together a group of members from across the country who are passionate about tenant matters. Its wide ranging and extensive membership means it has the ability to really make a difference.

We work closely with NFU advisers, taking the worries and concerns of members to major landowners, Government and DEFRA. Influencing future policy is a key aim, alongside providing support and assistance to individual members.

The basis of a successful and profitable farming business is a good relationship between landlords and tenants, something we strongly encourage.

A tenancy is often the first rung of the ladder to a successful farming career. We work closely with the NFU Next Generation Forum, and continue to encourage land owners to make tenancies available.



John Marland | NFU Tenants' Forum Chairman



**PAGE 3**  
Tenant member  
representation



**PAGE 4**  
NFU Tenants'  
Service



**PAGE 6**  
NFU Legal  
Assistance Scheme



**PAGE 7**  
NFU Tenants' First  
Advice Service



**PAGE 8**  
NFU Rural  
Surveyor Firms



**PAGE 9**  
NFU Legal Panel



**PAGE 10-11**  
Professional  
Expenses Cover



# REPRESENTATION

This brochure details the range of tenancy services available to members; however, it's also worth mentioning that the NFU has dedicated policy advisers dealing with all aspects of tenancies ranging from day to day matters, to interaction with Government and representation on the Tenancy Reform Industry Group (TRIG).

The amount of changes to farming and environmental regulation demand that our tenancy advisers work across a number of other NFU workstreams, especially those focussing on agricultural transition. Good communication between NFU colleagues allows this to happen, and as a result, areas of concern are effectively identified and dealt with - making representations to Defra where necessary.

The NFU holds tenant-specific meetings each year, in each region, to which all tenant farmer members are welcome. These meetings enable us to update members on key messages and policy, as well as allowing us to hear what is happening down on the ground.

There are also annual meetings with a number of big institutional landlords to enable us to address matters that arise throughout the year. These meetings also allow us an insight into future planning of these large landowning bodies.

We also hold a biennial Tenants' Conference, which is a successful event for members and gives the opportunity to hear the views of politicians, tenancy professionals and tenant farmers themselves.

As the officeholder with responsibility for tenant farming within the NFU, I think that the level of service and representation we offer to our tenant members is outstanding; especially at this time through agricultural transition in order to keep strong, productive and viable tenant farming businesses.

**David Exwood | NFU Vice-President**



# MEMBERSHIP WITH ADDED VALUE

The NFU Tenants' Service provides expert information, advice and support to resolve your tenancy issues.



## NFU Tenants' helpline

Our team of specialist advisers will help clarify your tenancy issues, identify options for further advice, and alert you to any legal obstacles.

**Call: 0370 300 0288**

Lines are open Monday to Friday, 8am - 5pm

*For security and training purposes telephone calls may be recorded and monitored. Calls to 0370 numbers will be taken out of any inclusive minutes available on your mobile or landline national minutes plan. If not it's still no more expensive than calling national rate numbers starting 01 or 02.*



## NFU Business Guides

**The NFU produces more than 150 business guides and model clauses specifically designed for NFU Farmer & Grower members.**

The user-friendly and easy to understand legal guidance booklets are written and regularly updated to assist members with legal matters they may face when running a farming business.

Members can access information on the Agricultural Holdings Act, tenancies, Farm Business Tenancies, Rent Reviews, Arbitration, Succession, AHA time limits and repair model clauses.



## NFUonline

A dedicated tenants' area on [nfuonline.com](https://nfuonline.com) and the NFU app where our members can access the latest news and reports on the NFU's work on behalf of our tenant members.

Visit [nfuonline.com/tenantsservice](https://nfuonline.com/tenantsservice)





"As a busy farm business, we don't always have time to look in to issues ourselves – but with the NFU Tenants' Service we feel reassured that the NFU always has our back."

**Will and Gillian Sedgley, Lancashire**

# NFU LEGAL ASSISTANCE SCHEME

## Providing financial support for legal and other professional costs.

The NFU Legal Assistance Scheme (LAS) is a unique, discretionary benefits scheme offered as an optional extra to NFU Farmer & Grower members at just £38 (+VAT) a year.

With nearly 90% of our members subscribing to it, the scheme provides you with professional guidance and financial support\* towards legal and other professional costs should you face a dispute relating to your farming and/or growing business.

## Benefits of the NFU Legal Assistance Scheme include:

- Contribution towards professional fees
- Dedicated in-house LAS team offering professional guidance and support throughout the case
- Contribution towards mediation costs in inter-member disputes (IMDs)
- £500 towards professional fees for BPS Independent Panel Reviews
- Up to £600 towards the cost of budgetary advice for rent reviews under the NFU Tenants' First Advice Service
- Up to £300 towards the costs involved in putting up site notices in fly-grazing cases
- Contribution towards the professional costs of NVZ appeals
- Confidentiality assured.

## How can I access the service?

The NFU Legal Assistance Scheme is available to you at an annual cost of £38 (+VAT) if you are an NFU Farmer & Grower member.

Should you require financial support, you must be a subscriber to the LAS at the time the dispute arises. If you are eligible, financial assistance will be considered from the date the matter is formally brought to the attention of an NFU CallFirst adviser, your local NFU group secretary, or any NFU member of staff.

*\*Each case is decided on its facts and legal merits, and awards are discretionary. It is important to note that the NFU Legal Assistance Scheme is not a legal expenses insurance policy, nor does it cover third party, your opponents' or any adverse costs; instead, it offers its subscribers exclusive beneficial services.*



# NFU TENANTS' FIRST ADVICE SERVICE

## Financial support when facing a rent review.

NFU Legal Assistance Scheme (LAS) tenant Farmer & Grower subscribers can receive a contribution of up to £600 towards professional advice and any help required to prepare budgetary reports for assessing the rental value of a farm. The £600 is available in the following circumstances\*:

- Tenant farmer is served with a rent review notice by their landlord
- Tenant farmer wishes to serve a rent review notice on their landlord or is considering doing so
- Tenant farmer wishes to tender for a renewal of an existing Farm Business Tenancy
- Rent is reviewed by the landlord or tenant as part of a succession application of an Agricultural Holdings Act tenancy on retirement or death
- Rent is reviewed due to land or buildings being taken out of or added to the existing tenancy
- Rent is reviewed due to other changes to the terms of an existing tenancy.

*\*Each case is considered on its own facts and merits and all LAS awards are at the discretion of the LAS Team and/or the NFU Legal Board.*

## How can I access the service?



Contact the NFU Tenants' helpline on **0370 300 0288** to speak to one of our specialist advisers who will provide you with initial advice and explain the service after identifying your concerns.



Our advisers will go through the LAS application process with you and refer you to the appropriate NFU Rural Surveyor Firm of your choice in your area to assist you further.



The LAS team will get in touch with you about liaising with your professional adviser and inform you about any potential contribution towards your costs up to £600, following your production of the relevant information.

# NFU RURAL SURVEYOR FIRMS

Expert panel of land agents and valuers local to you.

We understand that complex tenancy issues may require the expertise of a local surveyor. The NFU has appointed firms across the country selected for their ability to support the needs of our tenant farming members. In particular, the firms will cover:

- Agricultural tenancy matters
- Succession
- Rent reviews
- End of tenancy compensation
- Basic Payment Scheme
- Environmental schemes

The panel offers the following benefits to members:

- Access to a team of land agents and valuers who have been specifically selected for their expertise and reputation
- Specialist knowledge and expertise giving reassurance that your case is in safe hands
- Great local accessibility and choice
- Save up to 12.5%\* on fees for all newly commissioned core agricultural work.

How can I access the service?

1.



Contact the NFU Tenants' helpline on **0370 300 0288** to speak to specialist adviser for free preliminary advice.

2.



Once our advisers have identified that your issue could benefit from the assistance of an NFU Rural Surveyor Firm, they will advise you of the firms in your region.

3.



Your local firm will work closely with you to support your query and to assist with your matter. Details of the NFU Rural Surveyor Firms can be found on the NFU website: **[www.nfuonline.com/rsf](http://www.nfuonline.com/rsf)**



# NFU LEGAL PANEL

## Legal representation that gives you peace of mind.

The NFU Legal Panel comprises of 16 legal firms located throughout England and Wales offering NFU Farmer & Grower members local support and 12.5% discount off hourly rates directly relating to their farming or growing business.

The firms have been specifically selected by the NFU for their experience and expertise in agricultural and horticultural matters; complying with Solicitors Regulation Authority requirements. The firms can also assist in non-farming areas of law and their advice is completely impartial.

## The panel offers the following benefits to members:

- 12.5% discount on hourly rates
- Fixed fees for specified services
- Act as a one-stop shop for NFU members
- Free initial report to support your LAS funding application where appropriate
- Great accessibility with at least two firms in your region
- Comprehensive advice whatever your problem – business, property or family-related
- Deliver the NFU Contract Checking Service
- Deliver the NFU Legal Health Check Service

## How can I access the service?

1.



Contact the NFU CallFirst on **0370 845 8458** to speak to specialist adviser for free preliminary advice.

2.



If the NFU specialist adviser is unable to resolve your query, they will refer you to one of our 16 expert NFU Legal Panel Firms local to you.

3.



Your local firm will work closely with you to support your query and to assist with your application to the NFU Legal Assistance Scheme if your case is eligible for financial support. Details of the NFU Legal Panel Firms can be found on the NFU website: [www.nfuonline.com/legalpanel](http://www.nfuonline.com/legalpanel)

# PROFESSIONAL EXPENSES COVER

An NFU Mutual insurance policy to help you with your tenancy disputes.

The relationship between tenants and landlords of agricultural holdings is governed by agricultural tenancy legislation and individual tenancy agreements. Occasionally disputes can occur and this is where the NFU Mutual's professional expenses cover comes into action.

## Why you need this policy

NFU Mutual provides professional expenses cover for tenant farmers. This insurance policy protects an NFU member's business from the potential costs of going to rent arbitration to secure a fair rent, the cost of a hearing at the First-tier Tribunal (Property Chamber) in England (FtT), or the cost of a hearing at the Agricultural Land Tribunal in Wales (ALT).

Cover is available provided the policy is taken out prior to the service of the rent review notice which results in the demand for arbitration or any other relevant notice that results in a referral to an FtT/ALT.

If you receive a relevant notice from your landlord, you should try to reach an amicable agreement through negotiation. Hopefully this will avoid going to arbitration or an FtT/ALT hearing. However, when the dispute cannot be settled in this way, and when the arbitrator is appointed or a formal referral is made to the FtT/ALT, the NFU Mutual's professional expenses cover for tenant farmers is here for you.





## What does the policy offer?

Provided you have met the conditions outlined in the policy, you can provide evidence of attempted negotiations with your landlord or their agent, and you can prove throughout the case that you have a reasonable prospect of being successful in pursuing your case or defending your position, the policy offers you the following:

- Financial cover against the costs of negotiation and representation following the appointment of an arbitrator or a formal referral to the FtT/ALT under the Agricultural Holdings Act 1986 or the Agricultural Tenancies Act 1995 for rent arbitration or a hearing at the FtT/ALT
- The costs and expenses of a chartered surveyor, agricultural valuer, expert, solicitor and/or barrister from the date that an arbitrator is appointed, or the dispute is referred to the FtT/ALT
- A limit of £20,000 for each individual arbitration or referral to FtT/ALT, with no limit to the number of claims during any one year
- Any costs (excludes fines, penalties, or increased rent costs) awarded to the other party in the dispute by an arbitrator or FtT/ALT
- Landlord costs awarded against you if you are ultimately unsuccessful at the end of a claim which is covered under the policy, subject to the same cover limit
- Peace of mind knowing this policy works alongside and complements the NFU Legal Assistance Scheme (LAS) to provide NFU members with comprehensive protection in the event of a tenancy dispute.

## How much does it cost?

NFU Mutual's professional expenses cover for tenant farmers costs **£175 per annum.\***

There is also no excess to pay and a discount of 10% is available in exchange for a three-year commitment or 15% discount for a five-year commitment, off the cost of your premium.

Please note: that on the 1st July 2013, the Agricultural Land Tribunals in England were replaced by the First-tier Tribunal (Property Chamber). The Agricultural Land Tribunal for Wales is still applicable.

For more information contact your **local NFU Mutual Office** or **NFU Group Secretary**.

\*Price correct as of date of publication and excludes Insurance Premium Tax.



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NFU Tenants' Service helpline: 0370 300 0288  
[nfuonline.com](http://nfuonline.com) | [nfu-cymru.org.uk](http://nfu-cymru.org.uk)



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