

rural:law

THE NEWSLETTER OF NAPTHENS' RURAL DEPARTMENT

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FarmFuture

Managing the affairs of the farming family is crucial to the successful running of a farming business. That's why Napthens launched FarmFuture - and we've provided this service now to more than 170 farming families across the North West.

We introduced FarmFuture as the issues covered are so important:

Land - We will carry out audits of the land you own (or think you own) and present you with a clear report with everything in one place (which you can show the bank/accountant).

If land is unregistered, which may have been in the family for a long time, then we will register the land for you as a 1st Registration exercise.

Farm partnership - If you don't have one, we will formally create and implement one, or update the current partnership document governing the shape of the business and successors. Most funders require these affairs be in order to mitigate risk if you are borrowing from them.

Wills and estate planning - This may need attention, together with putting Lasting Powers of Attorney in place.

This is vitally important. It saves aggravation, time and money that in the event one of the owners of the business falls ill or loses mental capacity, it allows other chosen family members, or partners in the

business to step into their shoes and operate normally. Too many times I have seen pain and cost incurred when these arrangements are not in place.

Get in touch to find out more. We spend a lot of time understanding the mechanics of what you own, the family dynamic (all families are different) and the needs of everyone involved before we provide a fixed cost quote.

You'll know we are a niche team within Napthens, providing services to the agricultural and farming sector. I would encourage you to speak to Andrew, Melissa, Georgina, James, Lorna or Diane to get your affairs in order if you haven't already.

We look forward to talking to you.



Your contact

Jamie Allison
james.allison@napthens.co.uk
01539 760572

Welcome

Welcome to the latest edition of Rural Law.



Andrew Holden
andrew.holden@naphthens.co.uk
01254 686216

In this edition Jamie Allison, Naphthens' head of Cumbria, looks at our own FarmFuture offering, and how it can help the region's farming families.

From land audits to partnerships and Wills and estate planning, our experts are ready to help with the key issues that impact farming businesses.

Meanwhile, we've turned to some of our trusted professional contacts to cover topics we hope you'll find timely and interesting.

Carl Jackson, MD of Climateshield Solar, a supplier of industrial and commercial solar projects throughout the UK, looks at how the latest technology is offering farmers a range of opportunities to invest in solar energy.

Continuing our 'green' theme, Simon Travis of Carbon Metrics Ltd then looks at the different ways we can carry out carbon auditing, and writes about what we can learn from our colleagues in the US.

Finally we look at how two of the region's politicians are flying the flag for our farmers in Parliament with support from NFU.

These are turbulent times we are in, but business continues - if you have any queries, do contact us to find out how Naphthens can help.

GUEST ARTICLE

The Bright Side of Energy Self-Generation

A guest article by Carl Jackson, MD of Climateshield Solar.

Throughout history farmers have become experts in harnessing the power of sunlight.

Today, the exciting potential of the latest PV (photovoltaic) technology is dawning - and there's never been a more attractive time to invest in solar energy.

Recent market trends have dashed concerns about the closure of the Government's Feed-in Tariff scheme. Electricity prices continue their rise year-on-year, while solar equipment costs have fallen to levels which can support viable projects without subsidies.

This marks an unprecedented opportunity to expose your facility to a range of financial, operational and marketing benefits.

"There's never been a more attractive time to invest in solar energy"

According to a recent report by Centrica, a quarter of UK businesses without on-site generation are planning to install capacity before 2025 and 80 per cent of those with existing on-site arrays are keen to increase capacity.

Climateshield Solar is the UK's leading supplier and installer of industrial and public sector solar projects.

We pride ourselves on providing the most advanced design and project optimisation services, such that your investment payback period is minimised. It's usually as short as four to five years, although we view the relationship with our customers as longer term.

Our equipment is of the highest quality, typically with a 25-year performance

By utilising spare roof space with solar panels, you can control your power usage, shielding against future uncertainty in the energy market. You'll substantially reduce overheads and production costs and have the option to earn additional income by selling excess power to the grid. These systems will sustainably increase your property value too.

The rewards aren't just financial. Boosting your 'green credentials' is increasingly important for brand image, with consumers favouring environmentally conscious businesses.

Plus, a move to solar will enable you to keep up with current and upcoming industry standards, placing you ahead of the curve in helping the UK meet its net zero carbon emission target by 2050.

warranty. Rest assured we'll keep your investment working at optimal capacity for at least 20 years of free power generation.

Given their lifespan, we envisage our systems being handed down to the next generation as a lasting legacy of your commitment to a smarter business and greener future.

Please contact us to find out more.



Your contact

Carl Jackson
carl.jackson@climateshieldsolar.co.uk
www.climateshieldsolar.co.uk

GUEST ARTICLE

Carbon Auditing

Carbon auditing accreditation and the impact on carbon trading

A guest article by Simon Travis of Carbon Metrics Ltd

There are currently over 50 different tools for carbon auditing within agriculture, ranging from free-to-use tools to premium supply chain products.

However, there is no set standard for the calculations and values used across the board.

The Intergovernmental Panel on Climate Change (IPCC) has specific calculations that try to keep a high standard, but there is continual evolution as new science becomes mainstream.

This leaves us with imprecise measurements around carbon sequestration, whether focused on woodland, peat, grassland or arable. This in turn means 'carbon auditing' simply becomes a PR exercise for some companies, where calculations are not challenged, and data is not held to verification parameters and accreditation targets.

If we look to North America, some of the major buyers of carbon credits are large organisations such as Coca Cola and Microsoft.

If the UK Government does not have the funds within the New Environmental Land Management Scheme (NELMS) to buy carbon credits from across the full spectrum, it is these types of private organisations the industry may have to turn to in order to develop the agricultural carbon marketplace.

In the absence of a defined standard for data sourcing and collection, there is a risk that different trading schemes could be set up which penalise farms and landowners if alternative interests take precedent and have a stronger 'pull' from the private sector to reward simply commercial best practice.

In turn, this would reduce possible new income streams from carbon trading for farms and rural businesses, as the marketplace will respond to its own needs, rather than the 'public money for public goods' mantra that ELMS is aiming to operate, and the Government wishes to launch.

It is imperative that the value and amount of carbon credits traded are verified to the same level for every trade.

Think about British Retail Consortium accreditation for fresh produce or Red Tractor accreditation for livestock and grains. Without these assurances, the marketplace becomes a free-for-all where simply the price point is the underlying factor and trigger.

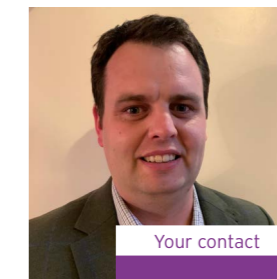
Schemes like the Woodland code are there to assist, but a whole farm approach is necessary in order for carbon to be treated as a commercial asset and all transactions to meet a defined high standard.

Some of the trades in North America involve complicated systems where sensors in the ground monitor soil carbon build up, or there is testing to account for organic matter. It is doubtful the UK is at this level yet, so for now desktop exercises or carbon audits are the only real measure to calculate the value of carbon trades.

However, if the main focus of such trades is around financial gain, then it may be that an accredited scheme via the Financial Conduct Authority would be needed, albeit this could add extra burden and cost within transactions as it would mean brokers have to undergo more rigorous training.

Better transparency and more compliance are therefore part of the answer. Establishing a set standard and protocol will offer a directive for fair use - without one there could be competing bodies setup and more chaos in the market.

As farm income streams are pushed further and the market for carbon credits develops to be considered as alternative revenue, it is imperative this is done to a fair and just standard.



Your contact

Simon Travis
07825 959670

Lancashire Speakers unite to thank farmers on NFU Back British Farming Day

The Speaker of the House of Commons and MP for Chorley, The Rt Hon Sir Lindsay Hoyle, joined with the Deputy Speaker of the House of Commons and MP for the Ribble Valley, Nigel Evans, in thanking farmers across Lancashire for their hard work during Covid-19.

The NFU's Back British Farming Day celebrates the UK's vibrant farming industry and encourages consumers to purchase UK grown produce. It was held this year on September 9.

Sir Lindsay said: "We are so grateful to British farmers for everything they have done during the pandemic to ensure we have food on our table.

"British farming really does matter to this country - and there are no better farmers than Lancashire farmers. The taste of Lancashire really does come through the farming industry - and we owe our farmers a debt of thanks for the work that they do."

Adding his support, **Nigel Evans said:** "Events like Back British Farming Day provide a perfect opportunity both to thank farmers for their hard work in recent months in ensuring that food continued to make it to plates during Covid-19, but also to highlight the foundational role that farming plays in areas of countryside.

"Farmers were rightly identified as key workers during the Coronavirus pandemic. Thanks to those farmers in my constituency, Lancashire, and the wider food supply chain, we were able to ensure supermarket shelves were kept stocked and the nation was fed during this difficult time."



"I would encourage fellow MPs and members of the public to get behind this important campaign and to Back British Farming."

The UK food and farming industry is worth more than £120 billion to the national economy and employs more than 4 million people. Furthermore, it is responsible for managing over 70 per cent of total land in the UK.

David Hall, NFU North West Regional Director, said: "Every day of the year our farmers produce food to the highest animal welfare and environmental standards in the world and deserve support.

"I know NFU farmer member John Alpe of New Laund Farm at Whitewell near Clitheroe organises meetings for Mr Evans with local farmers, so that he truly understands the pressures over the farm gate. Likewise, Sir Lindsay keeps in regular contact with our NFU Chorley office and is always willing to visit farms in his patch."

We need this support more now than ever before as we enter a pivotal time for the future of farming and the food on our plates."

Article supplied by NFU
www.nfuonline.com

Supporting the farming community across the North West
visit: naphens.co.uk

Naphens LLP, registered office: 7 Winckley Square, Preston, Lancashire PR1 3JD.

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