

# Farm Resilience Plan



As the two Legal Panel Firms for the North East, we are offering a free initial “legal health check” initiative to members, called the Farm Resilience Plan. Our long-standing relationship with the NFU and the rural community in the North East means that we have a thorough understanding of the issues which NFU members face and are best placed to provide practical and helpful legal advice.

The service is aimed to help identify and highlight any concerns or other legal matters members need to address in the interests of their farming/growing businesses. Examples of the areas of work to be considered include checking partnership agreements, business contracts with other third parties, registration of land, business contracts, share farming agreements, written tenancy or grazing agreements, possible business restructuring in view of Brexit, succession planning, Wills and trusts etc.

## How it works

1. Complete this Farm Resilience Plan questionnaire and return to your local Legal Panel Firm.
2. The Panel Firm will conduct an initial free review of your property, business and family interests to assess your position.
3. The Panel Firm will provide recommendations for discussion with you and details of fees for undertaking that work.
4. Any legal fees charged by the Panel Firms will include the NFU member discount of 12½%. NFU members may also be eligible for further financial assistance from the NFU as set out above.
5. The terms and conditions for the Business Resilience Plan will be the Legal Panel Firms’ own.
6. The Legal Panel Firms take your privacy very seriously. You can read their full Privacy Policies on their websites at [crombiwilkinson.co.uk](http://crombiwilkinson.co.uk) and [jacksons-law.com](http://jacksons-law.com) or ask them for copies. In particular, please note that from time to time the NFU may seek to review and/or audit the Farm Resilience Plan scheme with the Legal Panel Firms to assess the success of the scheme and ensure compliance with service level standards.
7. Members who subscribe to the NFU Legal Assistance Scheme can also apply for financial assistance up to a maximum of £500 for two sets of instructions (at £250 each) generated by the Farm Resilience Plan review.

Alongside the above, the NFU Legal Board is pleased to announce the extension of its special offer for the Contract Checking Service until 31 October 2020. The offer is a maximum of £1,000 each towards the costs of having four contracts checked or drafted by the Legal Panel Firms at £250 each.

To find out more about this exclusive member benefit delivered by the NFU Legal Panel Firms, members should contact NFU CallFirst on 0370 845 8458.

<b>Name:</b>	<b>NFU Membership Number:</b>
<b>Address:</b>	<b>NFU Group Office:</b>
<b>Telephone Number:</b>	<b>Email:</b>

Are you an existing client of Jacksons Law Firm or Crombie Wilkinson Solicitors?	<input type="checkbox"/> Jacksons Law Firm <input type="checkbox"/> Crombie Wilkinson <input type="checkbox"/> Neither
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<b>You &amp; Your Business – Property</b>	
Are you the owner/occupier of your house, land or other property?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the land/property registered at the Land Registry?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know
If you own land or property that is farmed or occupied by others, do you have a written agreement in place e.g. tenancy, licence, grazing agreement? If so, please provide details.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you have land or other property that you farm/occupy under a tenancy, licence or other arrangement?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If so, do you have any appropriate written agreement in place, such as an AHA tenancy, farm business tenancy, grazing licence, business tenancy, contract farming agreement, share farming agreement? If so, please provide details.	
Do you have farm cottages occupied by farm workers?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you have appropriate tenancy agreements in place? Please provide details of any agreements.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have you taken steps to protect your land against the creation of new public rights?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you know the extent of land that falls within your ownership and do the title plans correctly show the boundaries?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are you aware of any disputes with neighbours regarding your boundaries?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you know if you enjoy any express rights over neighbouring land or if neighbours enjoy express rights over your land?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are you considering a renewable energy or energy storage project?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you have any problems with an existing renewable energy or energy storage project?	<input type="checkbox"/> Yes <input type="checkbox"/> No

<b>You &amp; Your Business – Business Structure</b>	
How is your business set up?	<input type="checkbox"/> Sole trader <input type="checkbox"/> Partnership <input type="checkbox"/> Limited company <input type="checkbox"/> Other (please specify the structure)
If you are a partnership, do you have a written partnership agreement?	<input type="checkbox"/> Yes <input type="checkbox"/> No
When was it last reviewed? Please give an approximate year if not known.	
Are you considering adding new partners or is anyone considering retiring from the partnership?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is your land/property owned by you, by the partnership, by the company or in some other way (such as a trust)?	<input type="checkbox"/> Personally owned <input type="checkbox"/> Partnership owned <input type="checkbox"/> Company owned <input type="checkbox"/> Owned in another way
Do you have written contracts with your suppliers and customers?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do they reflect the actual arrangements that you have in place?	<input type="checkbox"/> Yes <input type="checkbox"/> No

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<b>You &amp; Your Business – Your Workers</b>	
Do you have any employees?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do they have written contracts of employment?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you have any other members of staff e.g. temporary workers, casual workers, agency workers?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you have any contractors who provide a regular, personal service to your business?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you know the different rights an 'employee' has compared to a 'worker'?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you have a staff handbook?	<input type="checkbox"/> Yes <input type="checkbox"/> No
What written policies and procedures does your business have in place? Please provide details.	

<b>You &amp; Your Business – Health &amp; Safety Compliance</b>	
Do you have a written Health & Safety Policy in place?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have you undertaken risk assessments for your business?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have you reviewed your business to ensure that you are compliant with the GDPR requirements?	<input type="checkbox"/> Yes <input type="checkbox"/> No

<b>You &amp; Your Family</b>	
Are you currently, or are you thinking of, living together?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have you entered into a cohabitation agreement to protect your interests if the relationship fails?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are you currently married, or are you thinking of marrying?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have you obtained a pre-nuptial agreement or living together agreement to protect your interests if the relationship fails?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are you separating/divorcing?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have you decided if you want to obtain a separation agreement or divorce?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have you considered the financial implications on your assets regarding separation or divorce?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If you have children together, do you have agreements in place regarding how the children spend time with you and your estranged spouse/partner?	<input type="checkbox"/> Yes <input type="checkbox"/> No

<b>Wills and Estate Planning</b>	
Do you have a Will in place?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If so, when were they last reviewed? Please confirm the approximate year if not known.	
Does your Will make specific provision for your farm and farming business?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you have powers of attorney in place for finances?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you have powers of attorney in place for health?	<input type="checkbox"/> Yes <input type="checkbox"/> No

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Do you have powers of attorney in place for your business?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have you considered setting up a trust for your children and/or grandchildren?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you have a family succession plan in place?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have you taken specific advice on the benefits of Agricultural and Business Property Relief on Inheritance Tax?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Are you a member of the NFU Legal Assistance Scheme?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you have legal proceedings insurance in place?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Please place any additional notes below you would like us to be aware of:

**Please return this questionnaire to your Local Panel Firm:**

**For York East Riding, York West Riding & South Yorkshire:**

Clair Douglas, Crombie Wilkinson Solicitors, Forsyth House, 3 Market Place, Malton YO17 7LP or via email to: [c.douglas@crombiewilkinson.co.uk](mailto:c.douglas@crombiewilkinson.co.uk)

**For Northumberland, North Riding, Durham & Tyne and Wear:**

Nicola Neilson, Jacksons Law Firm, 17 Falcon Court, Preston Farm Industrial Estate, Stockton on Tees, TS18 3TU or via email to: [nneilson@jacksons-law.com](mailto:nneilson@jacksons-law.com)