

Land Business Update

Week commencing 19th August 2019

New from S&P

Read our first Telecommunications Survey since the introduction of the new Telecommunications Code

The new Code was enacted on 28th December 2017 and enables network operators to enter land against a landowner's wishes in order to install, maintain and use communications apparatus. The consensual basis of earlier Codes, which led to the initial roll out of the mobile network across the UK, has been replaced with the imposition of rights by network operators, who have also been quick to resort to compulsion. Our team states that the new Code is proving less workable than the previous one, so that very few agreements have been made. The operators have not so far used the Code to erect new masts to fill in 'not spots' to improve the network, which was one of their main arguments for the new Code; instead, we have found that almost all activity in the market, apart from for the emergency services network, relates to operators seeking to reduce the rents of existing sites. We recommend that specialist advice is sought when negotiating an agreement as it has now become a highly technical compulsory purchase scenario. For a copy of our survey or to discuss telecoms sites, please contact [Robert Paul](#)

Listen to our podcast series on unlocking tomorrow's markets with the CLA

To mark our fourth year of sponsoring the CLA's Rural Business Conference, we have produced a [series of podcasts](#) giving insights on the current challenges and opportunities facing landowners and farmers. Our first podcast explores the theme of this year's Conference, which is unlocking tomorrow's markets. The second podcast, which features Richard Means, a director in our farming team, and Jeff Grant, representing the New Zealand red meat sector, is about lessons can the UK learn from NZ on how to secure new markets.

Environment

Economists' statement on carbon pricing calls for an emissions tax with the proceeds returned to the people

A group of economists, the European Association of Environmental and Resource Economists, have said that "a price on carbon offers the most cost-effective lever to reduce carbon emissions at the scale and speed that is necessary." The statement says that the tax must cover transport and housing, and that existing exemptions for international aviation and shipping must be addressed. It also says that the taxes raised could help address the social and distributional impacts of such a tax. There is a danger that such taxes increase costs within Europe while other countries we trade with do not have to pay them; the economists directly address this issue by saying that any carbon taxes must include a border system that deals with differences in carbon taxes between countries in a multilateral context.

Forestry

Oak Processionary Moth spreads further across England

The moth, which has been spreading across mainland Europe, is spreading further in England and Wales, with caterpillars found in Milton Keynes, Birmingham, Warwickshire, Gloucestershire and Wales. OPM caterpillars feed on oak leaves and can increase trees' vulnerability to attack by other pests and diseases. To try to stop the spread, the Government has strengthened controls on oak imports into the UK so that oak trees can only be imported from countries free of OPM, from designated pest free areas within those countries and trees that have been grown under complete physical protection for their lifetime. Official advice is to report sightings on the TreeAlert [online portal](#) and not attempt to destroy or move infected material yourself.

110,000 hectares of German forests die in the last year due to heat and less rainfall linked to climate change

The German government has pledged to spend at least €1.5bn to help repair the damage, and a debate has started in the country on whether plantings of predominantly spruce varieties in the past has contributed to the problem, as they are less resilient than other species.



Property and rural economy

Pub closure rate drops as government initiatives help landlords

Although pubs are still closing, the rate of closure has almost halved. This is attributed to the introduction of business rate relief for a limited number of smaller pubs in England and also rules that allow communities to designate their local pub as an asset of community value, which makes it harder for owners to convert the pubs into housing.

Fifty retailers call for reform of business rates

The retailers say that rises have made rates unaffordable, that the system deters investment in shops and that it unfairly disadvantages 'bricks and mortar' retailers compared with online retailers. The retailers said that retail accounts for 5% of the economy but pays 10% of all business taxes and 25% of all business rates. The number of empty shops on the high street reached 10%, its highest rate since 2015, according to the British Retail Consortium.

Growth in renting by households has paused, according to the latest English Housing Survey

The Government survey, which has now been running for 50 years, found that the trend for more households to rent has paused, as the proportion of households that own their own houses has not changed in the last five years, after previously falling. It remains at 64% of households in owner occupation, with 19% in private rented accommodation and 17% in social rented housing. The survey also says that although the energy efficiency of English homes has increased considerably in the last 20 years, it has not increased since 2015; this has been highlighted by the Committee on Climate Change as a major policy concern and energy efficiency standards are planned to rise to EPC level C for all homes in England by 2035. NB Scotland has different targets.

Shooting

Government should be forced to carry out environmental assessments of the impact of game bird release, says Wild Justice

In a similar style of challenge to that on general licences, Wild Justice says that Defra is in breach of the law, in this case the EU Habitats Directive. One of the aims of the move is to get the nation considering the environmental and moral case of game shooting. The group says that the Government has no idea of the number of birds released (which is possibly around 50m pa) or their impact on other species. Research published by the British Trust for Ornithology claims to show the first evidence on a national scale of positive associations between pheasant releases and avian predator populations. GWCT said that the research did show correlations, although not cause and effect, and endorsed the BTO's recommendation for more detailed research.

Labour calls for a review of the economic and environmental impact of driven grouse shooting

The Labour Party has called for a review and also pointed out that the 10 largest English grouse moors are paid more than £3m a year in farming subsidies.