

Farm Business Resilience Plan

As one of only two Legal Panel firms for the North East, we are offering a free initial 'Health Check' initiative to members (to demonstrate our commitment to the NFU and its members).

The NFU, alongside Jacksons, urge members to use the service, which is aimed at helping identify and highlight any concerns or other legal matters members need to address in the interests of their farming/growing businesses. This is of great benefit to members, particularly during these uncertain times. We believe this is a valuable initiative and hope that members will take advantage of this opportunity and use the services of the panel firms in their respective regions/counties.

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 this service. 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 light of Brexit, succession planning, wills and trusts etc.

Alongside the above, The NFU Legal Board is pleased to announce the extension of its special offer for the Contract Checking Service to 31 December 2022. The offer is a maximum of £1,000 towards the costs of having four contracts checked or drafted by the legal panel firms at £250 each. To find out more about the service, which is delivered through the NFU Legal Panel Firms, members should contact NFU CallFirst on 0370 845 8458.

How it works:

1. Complete a Legal Health Check Questionnaire and return it to us.
2. We will conduct an initial free review of your property, business and family interests to assess your position.
3. We will provide recommendations for discussion with you and details of fees for undertaking that work.
4. Any legal fees charged by us will include the NFU member discount of 12½%.
5. The terms and conditions for the 'health check' or the Contract Checking Service will be our own.

Name:

Address:

Telephone Number:

Email:

NFU Membership Number:

NFU Group Office:

Are you an existing client of Jacksons Law Firm?

Yes/No

You and Your Business

Property

Are you owner/occupier of your house, land or other property? Yes/No

Is the land/property registered at the Land Registry? Yes/No

If you own land or property that is farmed or occupied by others, do you have an appropriate written agreement in place e.g. farm tenancy, licence, business tenancy? Please provide details of the agreement. Yes/No

Do you have land or other property that you farm/occupy under a tenancy or licence Arrangement? Yes/No

Do you have an appropriate written agreement in place? For example, AHA1986 tenancy agreement; FBT agreement; grazing licence; business tenancy; contract farming agreement; share farming agreement; other? Please provide details of the agreement. Yes/No

Do you have farm cottages occupied by farm workers? Yes/No

Do you have appropriate tenancy agreements in place? Please provide details of the agreement. Yes/No

Have you taken steps to protect your land against the creation of new public rights of way? Yes/No

Do you know the extent of land that falls within your ownership? Yes/No

Are you aware of any disputes with neighbours regarding your boundaries? Yes/No

Do you know if you enjoy any express rights over neighbouring land or if neighbours enjoy express rights over your land? Yes/No

Are you considering a renewable energy project? Yes/No

Do you have any problems with an existing renewable energy project? Yes/No

Business Structure

How is your business set up? Sole trader/partnership/limited company/other

If you are a partnership do you have a written partnership agreement? Yes/No

When was it last reviewed?

Is your land/property owned by you or the partnership?

Do you have written contracts with your suppliers and customers? Yes/No

Do they reflect the actual arrangement that you have in place? Yes/No

Your workers

Do you have any employees? Yes/No

Do they have written contracts of employment? Yes/No

Do you have any other members of staff, for example, temporary workers, casual workers, agency workers? Yes/No

Do you have any contractors who provide a regular, personal service to your business? Yes/No

Do you know the different rights an 'employee' has compared to a 'worker'? Yes/No

Do you have a staff handbook? Yes/No

What written policies and procedures does your business have in place?

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When were your contracts or policies last reviewed?

How many members of staff do you have working for you (including temporary workers casual workers, agency workers and contractors)?

Health and Safety and Compliance

Do you have a written Health and Safety Policy in place? Yes/No

Have you undertaken risk assessments for your business? Yes/No

Have you reviewed your business to ensure that you are compliant with the GDPR requirements? Yes/No

You and Your Family

Are you currently, or are you thinking of, living together? Yes/No

Have you entered into a cohabitation agreement to protect your interests if the relationship fails? Yes/No

Are you currently married, or are you thinking of, marrying? Yes/No

Have you obtained a pre-nuptial agreement to protect your interests if the relationship fails? Yes/No

Are you separating / divorcing? Yes/No

Have you decided if you want to obtain a separation agreement or divorce? Yes/No

Have you considered the financial implications on your assets regarding separation and divorce? Yes/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? Yes/No

Wills and Estate Planning

Do you have Wills in place? Yes/No

If so, when were they last reviewed?

Do your Wills make specific provision for your farm & farming business? Yes/No

Do you have Powers of Attorney in place for finances? Yes/No

Do you have Powers of Attorney in place for health? Yes/No

Do you have Powers of Attorney in place regarding your business? Yes/No

Have you considered setting up a trust for your children or grandchildren? Yes/No

Do you have a family succession plan in place? Yes/No

If you are a tenant, have you specified a preferred successor in your Will? Yes/No

Have you taken specific advice on the benefits of Agricultural and Business Property Relief on Inheritance Tax? Yes/No

General

Are you a member of the NFU Legal Assistance Scheme? Yes/No

Do you have Legal Expenses insurance in place? Yes/No

Please return this questionnaire to:

Jacksons Law Firm, 17 Falcon Court, Preston Farm Industrial Estate, Stockton on Tees, TS18 3TU or via email to: rneilson@jacksons-law.com