



Royal Highland Show SAYFC Tug of War Winners

The grand finale of the Scottish Association of Young Farmers (SAYFC) Tug of War competition held at the Royal Highland Show, was another epic battle of passion, power and skill. Sponsored by Davidson & Robertson, the women's competition was won by Kilmaurs YFC, Ayrshire and the men's event was won by Biggar YFC, Lanarkshire.

The Scottish Land Reform Bill – how will it affect you?

The draft Land Reform (Scotland) Bill introduced in March still needs to go through parliament, but is expected to be enacted later this year. It is a significant piece of legislation affecting many Scottish landowners and occupiers and size of your holding will matter.

Whether selling property over 1,000 ha, managing property over 3,000 ha, having small landholdings or agricultural tenancies, there will be implications. We have outlined the key aspects that may affect you overleaf:

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Utilities: protecting
your land and business



What grid connection reform
means to landowners



More rural property
sellers are trusting D&R



The Scottish Land Reform Bill – how will it affect you? (continued)

1,000 ha may seem like a large land holding but considering the size of hill farms and large arable units, there will be many farming businesses affected. D&R is already preparing clients for the following changes:

Property sales

- If your property is over 1,000 ha, Ministers will have to approve any sale and can consider lotting the holding – they will be taking advice from the new Land and Communities Commissioner (LCC). Owner compensation for some losses may be introduced, but that is still unclear.

It means these sale will become onerous, slowing down the process significantly. Owners considering an imminent sale would be wise to take action ahead of the legislation.

Property Management

“Large landholdings” will be defined as a single or composite holding over 3,000 ha or for inhabited islands, it will be over 1,000 ha.

- Farming enterprises in excess of the thresholds need to be aware of the controls and ministerial approval regarding management and transfer of ownership. You must have a publicly available (published) Land Management Plan with community engagement. The LCC will make sure owners comply and can regulate for engagement. Also be aware of potential obligations

for a community to request a lease, enforceable by the new Commissioner.

D&R is already helping clients produce coherent Land Management Plans. If you are managing a large property holding, it is best to prepare now, seeking professional advice if needed.

Agricultural Tenancies

- **Resumption:** If a landlord resumes land, there will be enhanced compensation for the tenant (similar to relinquishment of a tenancy), overseen by the Tenant Farming Commissioner.
- **Rent reviews for agricultural tenancies:** In the future, the productive capacity of the holding will be taken into account, looking at what can be done on the land and taking into account comparable holdings. There may be some adjustment to rents.
- **Tenants Improvements:** The current restricted list of improvements will change to a principles-based approach. Legislation also includes a section for improvements which facilitate/enhance sustainable or regenerative agricultural production within existing tenancies. Whilst this is a benefit to tenant farmers, it does not dispense with the need to notify the landlord or obtain approval for most improvements.
- **Standard procedure for Waygo claims:** It can take almost a year

for disputes to reach court. The new rules suggest compensation will be agreed by the end of the tenancy with interest payable if delayed. This provides clarity and a deadline which will benefit both tenant and landlord.

- **Revision and consolidation of the Small Landholders regime:** These early 1900 tenancies are being brought up to date, bringing about a clearer set of rules and giving parties a reference to the Tenant Farming Commissioner.

Environmental Lease

This gives landowners the option to let the land for environmental purpose, or allows for tenants to enter environmental schemes, plant trees or regenerative / sustainable land management. Details are still unclear.

When the Land Reform Bill is passed, the legislation is likely to come into effect in phases, but there may be elements you can prepare for now.



Martin Hall

If you have any questions contact Martin Hall, Senior Director or Niall Milner, Director and Head of Property and Forestry on 0131 449 6212.

Buyer list grows as off-market sales continue

We have seen a growing number of rural properties being sold privately (off-market). Not everyone wants to be on the open market and these are the key reasons why:

- Discrete, private and confidential
- Prequalified ready to move, motivated buyers
- Cut through the noise of speculative viewers
- Less pressure, as it's easier to match buyer/seller needs

Choosing to sell your property privately requires an agent with a

good knowledge of the local and national markets and an active list of potential buyers. A structured, proactive approach is key and can give excellent results.

Testimonial: “D&R sold my property which was almost 150 acres and had a house and land and it also included a small lake and a food/retail shop. They were very professional, helpful, and they fully listened to our brief. They were very proactive in their approach and respectful of our privacy.

It was sold to a buyer who D&R were aware was looking for property like ours, and it sold privately very quickly. I would have no hesitation in recommending the D&R team.” Mr Smith, Cumbria.



Chris Edmunds

Looking to sell? Contact Chris Edmunds, Director & Head of Agency on 01900 268 633.

Davidson & Robertson Director becomes National President of CAAV

On June 28th, Senior Director Martin Hall, became President of CAAV (Central Association of Agricultural Valuers). CAAV members are agricultural and rural valuers who provide professional advice and valuation expertise on issues affecting the countryside. Martin was elected to the Executive Committee in 2021 and sits on the CAAV Panel of Arbitrators.

As Vice President, Martin has met with regional groups across the UK and will continue visiting the remaining Local Associations this year. Martin commented "It is a real honour to become CAAV President. Being able to talk to groups across very diverse geography is a real opportunity to share knowledge, be informed and learn more, which helps when advising our clients too.

"Whilst there are regional differences, there are key issues that Agricultural Valuers have in common:

- Recruitment right across the UK is a priority. CAAV has a growing membership, but the demand

on our services is growing exponentially. This is mainly as a result of the drivers in the renewables and infrastructure sector and the push for net zero energy.

- Greater demand for valuation services also comes from the changing agricultural landscape, with support changes in process, and new demands on land, be it energy, environment, development or recreation. Succession is no longer a foregone conclusion, and with diversification opportunities growing, farming families are changing how they operate.
- The CAAV pushes hard and has good engagement with the 4 nations governments on devolved land use and agricultural policies, but the speed and quantity of legislation being piled on the rural property sector is unprecedented. The need to influence, understand and make it work on the ground will continue."

Concluding, Martin said "there has never been a more exciting time to be leading the profession. Yes, there are challenges navigating through some of what is ahead, but there are undoubtedly opportunities and being aware, and understanding the true value of, as well as being able to engage in the right way will be important in the next period for our sector".



Martin Hall

Martin Hall, Senior Director, can be contacted on 0131 449 6212.

Electrical Infrastructure Upgrades: Essential guide to protecting your land and business

The drive towards Net-Zero energy requires swathes of electrical infrastructure upgrades across the country to form a network that will support the increased demand for electricity.

Historically, energy was generated from a few large power stations; in the future, most of this energy will be generated in rural locations, meaning many farmers and landowners will be impacted with significant consequences by these works.

If notified that your land may be impacted by a utility infrastructure project, your next steps are crucial:

Get involved at the outset of the project, especially if a letter arrives outlining a proposed project.

Appoint or get in touch with your Land Agent as soon as possible.

Do not sign anything until you have taken advice from a rural expert like D&R.

Reasonable **professional advice costs are likely to be covered** by the utility company.

Consider the wider impacts and consequences the project will have on your business.

Mitigate losses – It is crucial that you understand how the proposed works will impact you and your land, and you must mitigate as far as possible, for all losses, disturbances, and costs incurred as a result of the work.

Know your rights – Not everyone knows what can be claimed, a good Land Agent will advise fully on what your rights and options are.

Record your time, this is often overlooked, but it is important.

Once works are completed, it can sometimes take several years for land to get back to full production and compensation can be claimed to ensure that farmers are not left any worse off.

As the NFU Scotland affinity partner for utilities and infrastructure projects, D&R has decades of experience in acting for landowners and occupiers. We have a specialist team, well-versed in providing advice on access agreements, wayleaves and servitudes, mitigation of impacts and compensation claims.



Alasdair Allan

For more information on infrastructure projects affecting your land, contact Alasdair Allan, Senior Associate on 0131 449 6212.

D&R supports Carloonan Farm to reverse years of losses

Nestled in the charming and tranquil district of Argyll and Bute is Carloonan Farm in Inverary.

The farm has been battling with SSEN for just over a year to get a fair and proper compensation package for disruption caused by the installation of a new overhead line. The line, which is the second project of this type to impact their land directly, is planned to run from Dalmally, through their ground and the neighbouring tenants' ground.

The health and welfare of the farm's livestock will be heavily impacted by the installation of a new pylon line; however, the farm has no choice in the matter.



The project will bring many disturbances to the farm, some examples are:

- Two years of construction traffic driving around livestock and cattle in the summer
- Hefted sheep stock being disturbed from their natural shelter
- Sheep concentrated areas causing overgraze and distortion of management of land

Throughout the process, D&R has supported the farm by handling the bulk of the negotiations with SSEN, compiling a structure of claims, and assisting the farm in understanding the legislation and what they are entitled to.

D&R has successfully secured a compensation package which will be paid up-front to Carloonan Farm to compensate for the farm's losses during the works and for years to come.

Brian Walker, of Carloonan Farm said:
"I'm sure there are a lot of people in my situation who are experiencing this for the first time and would feel quite intimidated. Without prior experience or knowledge of the law through an expert land agent, you can be left with long-term costs and losses to your business.
To keep on top of constantly changing laws, you need people like D&R who know the legislation inside and out. In my opinion D&R are leading at the front for farmers."



If your land is impacted by utilities projects contact **Ian Austin, Director and Head of Utilities, Energy, and Infrastructure on 0131 449 6212.**

Changes to Permitted Development Rights spark opportunities

Permitted Development Rights (PDR's) allow agricultural businesses to make changes to existing buildings or erect new agricultural buildings without the need for a full planning application. Recent changes have opened up more opportunities for property owners.

In May 2024, England and Wales updated PDR's, with increased opportunities for agricultural buildings.

The new guidelines should make it simpler and less costly to build or develop, with amends to the criteria for conversion of existing agricultural buildings for homes or commercial use.

Converting buildings into dwellings is worth consideration if you are looking to maximise the value of your property. It can help create a sustainable income and make your business more resilient, generating rental income or capital to reinvest.

There are restrictions which preclude development in protected landscapes, i.e. areas of outstanding natural beauty and National Parks, so development in the Lake District will still be challenging.

The summary below gives an outline of the updated rules, but it is important to seek advice when planning to make alterations to your property. We can help point you in the right direction.



For more information contact **Paul Robinson, Director on 01900 268 633 or Martin Hall, Senior Director on 0131 449 6212.**

	Scotland changes April 2021	ENGLAND & WALES CHANGES MAY 2024
Agricultural building development	New build size limit increased to 1,000m2	For holdings of less than 5ha the size limit has increased to 1,250m2. For holdings of greater than 5ha the size limit has increased to 1,500m2.
Change of use of agricultural building for dwellings	Up to 5 dwellings each may not exceed 150m²	You can now create up to 10 dwellings capped at 150m2/dwelling with maximum combined floorspace of 1,000m2* *You can no longer create larger (up to 465m2.) dwellings, but the limit increase from 5 – 10 is an opportunity for some. Up to a 4m2 single story extension to the rear of the building onto existing hard standing is now permitted.
Flexible commercial use	Up to 500m² flexible commercial space	Floorspace now doubled to 1,000m2

Grid connection reform – why is it important to landowners?

Proposed reforms to the national grid connection process mean demand from renewables developers for land rights is set to increase. For landowners, it opens a new set of opportunities which could be transformative for their businesses.

Last year, there was an amnesty for developers who secured a grid connection but did not feel they could deliver a project. This freed up the grid and potential new large-scale battery projects for our clients, but more needed to be done.

Unblocking 'Zombie Projects' (where developers are holding the grid with little imminent intention to develop) is now the number one priority for the National Grid which has a massive queue of applications seeking grid connections (circa 800GW).

The National Grid package of reforms (known as TMO4+) is currently in stakeholder engagement, with a 'go live' date planned for January 2025.

Throughout the application process, developers must continually demonstrate their progress, or they will be removed from the application queue, freeing up capacity that can be reallocated to projects advancing towards construction.

Developers will be pushing landowners to agree terms for land rights at an early stage in their project, to secure their grid offer and advance a connection date.

It is imperative that landowners take professional advice from Land Agents (and their solicitors) before signing any such documents, to assess your options.

- You may have the opportunity to talk to more than one developer.
- Your Agent will understand and can explain the long-term implications of the development for your business.
- Your Agent will have sector knowledge of current market rates and is skilled to negotiate terms on your behalf.

Any credible developer seeking land rights will pay the landowner's (or secure tenant's) reasonable costs for taking surveyors and solicitors and sometimes accountant's advice to secure a development deal.

D&R has been acting for clients in this sector for decades and our agents are well placed to advise landowners.

If you are approached by a developer, please do not sign anything without speaking to us first so we can help you negotiate the best deal.



Derek Bathgate

Contact Derek Bathgate, Director and Head of Regions on 01292 265 851 or Ian Austin, Director and Head of Utilities, Energy & Infrastructure on 0131 449 6212.

Rural property: more sellers are trusting D&R

This Spring, we've seen a fivefold increase in rural property owners approaching us to sell their properties. The number coming to market is increasing, and more sellers are choosing us as their agent for both on and off-market sales.

Confidence in what we can achieve for both buyers and sellers is very encouraging. Word spreads quickly in rural communities and referrals go a long way when people are deciding who they want alongside to sell their property.

The uncertainty of higher interest rates, coupled with the effect of Brexit and policy changes, held the market back, but there are now more properties coming to market as this uncertainty lifts and sellers make a move.

Other factors influencing decisions to sell relate to changes in circumstances, with some choosing to retire, others looking at restructuring their farming

enterprises and some selling due to lack of succession. Some are transitioning from traditional farming and want to cash in on environmental enhancements. We are also likely to see more smaller pockets of land come to market from sellers looking to reduce debt when faced with higher borrowing interest rates.

The market shows signs of being more active than in the last few years. Whilst spring is traditionally a time when properties launch, D&R is seeing this timeline stretch well into the year.

We have been approached by many more sellers this spring compared to last year, but not all were ready to launch in spring. For some, the extremely cold and wet weather delayed coming to market, waiting for the ground to dry and fields to green up so their properties look their best.

For others, the wet, cold winter and spring have solidified their decision to sell later in the year or 2025. Getting the right advice at a very early stage is important. Conversations about planning, preparation and market appraisals at the start of the decision-making process are crucial. They can help iron out issues and uncertainty and make the process less daunting.

D&R has a diverse portfolio of properties coming to market including farms, land, rural properties, development opportunities and woodlands.



Will Dalrymple

Looking to sell? Contact Will Dalrymple, Associate on 0131 449 6212.

Properties for Sale



Boghead and West Doura Farms, South Ayrshire

New to the market for offers over £3.86M as a whole or in lots. A unique opportunity to acquire an attractive commercial farm in a productive farming area extending to approximately 492.83 acres.



Bogend Farm, East Ayrshire

New to the market with a guide price of £1.4M. A well-located farm in a ring fence extending to approximately 194.25 acres (78.61ha).



Mindork Farm

New to the market for offers over £895,000 as a whole or in lots. A unique opportunity to acquire a farmhouse, a steading, land extending to approximately 144.77 acres (58.58 hectares), and a block of ground near the village of Mochrum extending to approximately 39.63 acres (16.04 hectares).



Contact us to register your interest.

Coming soon

A mixed livestock farm extending to approximately 251.26 acres.

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