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Disclaimer - this newsletter contains brief articles on general topics and should not be relied on as advice for individual cases. Professional advice should be taken before any decisions are made.

Brexit - the implications for farming

Farm subsidies under CAP will go when we leave the EU. Whilst the Government in Westminster has guaranteed that farm spending will be maintained until 2020 the detailed repercussions for devolved Administrations remains to be seen. It is unlikely that the current system will continue unchanged after that time, and there are no assurances as to what will replace basic payments and rural development funding. The UK will need to meet EU terms to export goods there. Also there are opportunities for UK to formulate a simpler farming policy to focus on UK priorities for a competitive industry.

Trade

Free trade across the EU Nations will cease unless the UK negotiate new agreements without tariffs; & future opportunities exist for improved prospects to trade with other parts of the world .

Labour

Migrant labour from continental Europe plays a vital role in agriculture (particularly in horticulture) so this will need to be a key component in negotiations with the EU.

Land prices

Long term confidence in a viable farming industry is essential to underpin the land rental and sale markets. However market forces (of demand & supply) will prevail. Any reductions in such values could benefit new entrants and a weaker sterling might encourage overseas investors (to a certain degree); nonetheless overall demand will no doubt suffer unless agriculture prospers.

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Are your waste exemptions about to expire?

"Waste exemption registration lasts three years," explained Kathryn Lewis of Davis Meade Property Consultants at Oswestry.

"The earliest you can re-register/renew them is one month before they expire. The Environment Agency will send you a letter stating the date that your waste exemptions are due to expire."

If you are unsure which exemptions you have registered and when they expire, visit the waste exemption public register to find out at:

<http://epr.environment-agency.gov.uk/ePRInternet/SearchRegisters.aspx>

Farm-based waste exemptions include activities such as:

- Burning waste in the open
- Treatment of pesticide washings for disposal
- Treatment of sheep dip for disposal
- Spreading milk on land
- Burning of waste as fuel in a small appliance
- Storage of sewage sludge
- Pesticide washings in a biobed or biofilter
- Spreading pig and poultry ash

To renew or register any of your waste-related operations, visit the Government website <https://wasteexemptions.service.gov.uk/>. This will take you to the online service which will allow you to:

- Start a new waste exemption registration
- Re-register an exemption that's expiring soon
- Change the details of an existing registration

"It is free to register all waste exemptions but before you register you must meet the waste exemption general rules," said Kathryn.

"You must register your waste exemptions but you can only register a waste exemption if your waste operation meets all the limits and conditions of an exemption and doesn't harm the environment or human health.

"If you don't follow these rules your waste operation is not exempt and the Environment Agency can 'de-register' your exemption," she said.

"Failing to keep your exemptions up to date means you will be operating without a permit and committing a criminal offence," she added.

Contact Kathryn Lewis at Davis Meade Property Consultants on 01691 659658 or email kathrynlewis@dmpcuk.com



Boundary disputes – avoid them if you can

"The best advice is to avoid them if you can but if you do have an issue over a boundary then you should seek professional help early on," said Philip Meade, a chartered surveyor and arbitrator with Davis Meade Property Consultants at Oswestry.

"As rural surveyors the majority of boundary disputes we deal with are between farmers and residential property owners.

"They can be a bit of a nightmare as the whole thing gets expensive and if they do end up in court you are likely to be directed to go for mediation.

"Try to settle a dispute early and be pragmatic. In a dispute between a farmer and residential owner that few feet in question can make a massive difference to a garden yet the home owner may wonder why the farmer is bothering when he has acres of land.

"But for the farmer it's the principle of the issue as well as other potential problems that might be caused such as issues with the Basic Payment Scheme or maybe trespass or environmental issues. Furthermore, if a farmer has previously lost land due to adverse possession he or she certainly won't want to lose any more."

All property, whether it be agricultural land or a house, will have precise legal boundaries and to avoid potential problems arising farmers should make sure that their land is registered and the boundaries are correctly recorded with The Land Registry.

"It is far harder for someone to claim squatters rights if the land is registered," Philip said. "So check with the Land Registry that everything is correct.

"If you do find someone else has already registered the odd corner of your land, even by mistake, you need to rectify it straight away," he advised.

"Also don't let anyone get away with using or putting something on your land. For example, a householder might put a gate in their back fence onto your land and then put a table and chair on the field or use it to dump grass clippings. In theory

after 12 years they might be able to claim ownership."

Within a boundary dispute he said an OS map cannot always be relied on, you often have to go back to basics and consult the title deeds or use common law principles and presumptions such as the 'hedge and ditch' which follows the presumption that a farmer would have dug the ditch at the far extremity of his land and piled the soil on his own land and then planted the hedge on top of it.

"If you see a problem arising that cannot be resolved by sensible discussion with the neighbour, get your land agent or solicitor involved at an early stage as the longer you leave it the more established someone's claim to have a piece of your land might become.

"It is usually possible to settle boundary disputes by correspondence or a site visit but if you still can't agree then you might have to go to court and then it will be useful to have historical photo evidence and witness statements confirming that the land has always been yours," he added.

For advice on boundaries and registering land contact Philip Meade at the Oswestry office of Davis Meade Property Consultants on 01691 659658 or email philipmeade@dmpcuk.com





**BRYN CELYN
TREMEIRCHION
ST ASAPH
DENBIGHSHIRE
LL17 0US**



PRICE: OFFERS IN REGION OF £465,000

A character small-holding comprising a detached 4 Bedroom Cottage of early extraction together with a range of outbuildings and productive land extending in all to 9.64 acres (3.90 hectares) or thereabouts being situated, in an eminent, idyllic rural, setting with exceptional views towards Wheeler Valley, being some 2.5 miles from the village of Bodfari & approximately 2.7, 6 & 12 miles from the Historical Towns of Caerwys, Denbigh & Mold, respectively (with the A55 North Wales Expressway being some 3.6 miles distant).

FOR SALE BY PRIVATE TREATY
(subject to conditions & unless previously sold)

The sale of this property is being conducted through our
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DENBIGH
DENBIGHSHIRE
LL16 4HG**



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A parcel of prime Vale of Clwyd land extending in all to **4.20 acres** (1.7ha) or thereabouts having **outline planning permission for 40 Residential Units** (affording exceptional views towards the Clwydian Hills); situated in the sought after village of Pentre Llanrhaeadr being some 3 & 4 miles from the Historical Market Towns of Denbigh & Ruthin respectively

FOR SALE BY PRIVATE TREATY

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