

# Agricultural & Rural

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How we can support you





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# Introduction

**Thank you for the opportunity to introduce Browne Jacobson to you and to give you a snapshot of our expertise and experience, and demonstrate how this could benefit you.**

For many years we have supported families, wealthy individuals, land owners, entrepreneurs, investors, trustees (from individuals through to offshore trustees), accountants, independent financial advisors and other professionals, both on and offshore, on a range of relevant legal areas common to private wealth.

While we continually attract new clients, many have been with us for several generations, and we pride ourselves on providing a partner-led, collaborative approach supporting clients and building lifelong relationships.

**Through this brochure we set out our experience and expertise in:**

- Private client
- Property
- Agricultural law
- Corporate
- Commercial
- Regulatory law

However, as a full-service law firm, we have the expertise and capacity to support you across any legal query.

**We hope you enjoy reading this brochure and welcome the opportunity to discuss how we can support you in more detail.**



**Lucy Worwood**  
Partner & Head of Private Client

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**Robert Wofinden**  
Partner & Head of Agricultural  
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***“I wouldn’t go anywhere else.”***

**Legal 500 2022 — Private Client: Personal Tax, Trusts and Probate**

# 01. Private client

**From financial and tax planning to the future succession of your business or estate, our team will work closely with you and other professionals to provide tailor-made solutions.**

The team is ranked first for private client work for the Midlands by both Chambers UK and the Legal 500 and we are all members of the Society of Trust and Estate Practitioners (“STEP”).

Our goal is to guide you through the labyrinth of rules and legislation and alleviate your concerns through effective and timely planning to help you and your family preserve your estate.

## **Our services include:**

- advising on the succession of family estates and businesses through the generations and related estate planning
- advising on tax (primarily inheritance tax including agricultural property relief and business property relief, capital gains tax and income tax)
- setting up and restructuring trusts and all aspects of trust administration
- advising about agricultural and other family partnerships
- professional trustee services (either through an individual or our trust company Mowbray Trustees Limited)
- specialist advice on commercial trusts
- family investment companies
- tax and legal advice for non-UK domiciled individuals
- advising about trust and estate disputes
- probate and administering the estates of deceased's individuals with complex business, agricultural and tax implications, including estates involving overseas assets
- wills, including wills with complex trust provisions to help protect assets for the next generation
- powers of attorney and appointment of deputies and dealing with the court of protection where a person has lost capacity.



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***“It’s a highly professional service provided by knowledgeable, personable and approachable people.”***

Chambers 2022 – Private Wealth Law



# 01. Private client

## Case studies

### Landed estates

We have advised a landed estate client (£200M+) for several generations involving the creation of various family trusts to own much of the land and advice about estate planning for example, the gift and leaseback of chattels and reversionary lease planning in relation to the manor house.

### Wills, trusts and inheritance tax and capital gains tax planning

We advise extensively about this. For example, we advised a client (£100M+) about how best to draft his will to look after his wife and children from a former marriage. We prepared a will including a discretionary trust to receive business and agricultural assets and a flexible life interest trust for the remaining assets. This enables the executors/trustees to look after the surviving spouse with the flexibility to transfer funds to children in a tax efficient way. It can also help protect the estate for the next generations from the risk of death, divorce or bankruptcy of the beneficiaries.

### Family partnerships

We created a family partnership for a farming family (£100M+) and transferred land with development potential into trust to help protect the value for the family and maximise tax reliefs We also advised this family about a land pooling agreement.

*“I rate Lucy very highly, this is due to her whole approach, helpfulness, prompt attention even when very busy, and of course her professional knowledge.”*

Chambers 2022 – Private Wealth Law



# 01. Private client

## Key Contacts



**Lucy Worwood**  
Partner & Head of Private Client

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Lucy has over 20 years' experience in advising clients on all aspects of personal tax, trust and will drafting and estate and succession planning to preserve family assets and businesses through the generations.

Lucy has particular experience in restructuring and advising about trusts, advising offshore trustees and providing personal tax planning advice for non UK domiciliaries. Her clients are onshore and offshore and include family businesses, landowners, professional trustees, and those concerned with the preservation of family wealth.

Lucy is a trustee and executor for many clients and is a director of our in house trust company Mowbray Trustees Limited. She is also a member of the Society of Trusts & Estates Practitioners (STEP).



**Wenna Thompson**  
Partner

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Wenna has over 30 years' experience in advising clients and accountancy firms on all aspects of private client tax and estate planning.

She has particular expertise in advising clients on the use of trusts in the context of the devolution of family wealth and the preservation of family owned estates and businesses.

Wenna is a trustee and executor for many clients and is a director of Mowbray Trustees Limited. Wenna is a member of the Society of Trusts & Estates Practitioners (STEP).



**Imogen Holmes**  
Partner

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Imogen has over 14 years' experience of acting on a wide range of private client related matters.

She advises on and supports decision making in relation to estate and succession planning, drafting wills and trusts, inheritance tax planning and wealth protection with a focus on practical provision for business owners, farming families and within estate and trust administration.

Imogen acts for many family-owned estates and businesses with a view to preserving and securing key assets, tax reliefs and family harmony.

She also has a background in providing advice to families with disabilities and on mental capacity, care provision and funding issues. Imogen is a member of the Society of Trust & Estate Practitioners (STEP).



**Koren Holbourn**  
Senior Associate

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Koren specialises in advising on succession planning (including inheritance tax and capital gains tax planning), with a particular focus on preparing wills and trusts for land and business owning clients.

Koren regularly advises executors and deals with the administration of complex, high value estates which include farm and business assets.

She has extensive experience advising on and preparing powers of attorney, particularly for elderly clients and also acts as an attorney for clients.

Koren has a diploma in the Administration of Trusts and Estates and is a member of the Society of Trusts & Estates Practitioners (STEP). Koren is also a representative on Nottinghamshire's Law Society Private Client Committee.



*“Excellent, pragmatic  
and commercial” and  
“professional, polite  
and efficient.”*

Chambers 2022  
— Private Wealth Law





## 02. Property and agricultural

**Our property and agricultural team provides a truly full service to agricultural, rural and estate clients including advising on property, planning, development, litigation and agricultural entitlements.**

We have been trusted advisors to a number of family and charitable estates for several decades, handling all of their property transactions, registration of estates with the Land Registry and increasingly commercial and strategic work as estates seek new ways to diversify beyond existing farming enterprises.

**Some of the key facts about our team and the benefits we offer include:**

- **our clients** – trustees (from individuals through to corporate trustees and charity boards), entrepreneurs, landowners, investors, accountants, independent financial advisors and other professionals, both onshore and offshore including Wyggeston Hospital Estate, Belvoir Estate, Natural England, National Trust and the Environment Agency
- **our expertise** – a team of specialist lawyers working nationally, including lawyers as members of the Country Landowners Association and Agricultural Law Association
- **strategic development** – advice on strategic land matters such as options promotion agreements, development agreements, planning permission, joint ventures and terminating agricultural tenancies
- **specialist agricultural advice** – advising clients on maximising eligibility for business property and agricultural property reliefs for inheritance tax purposes, reviews of agricultural estates to optimise tax efficiency, negotiating transfer of reliefs and retentions in land transactions and regulatory advice
- **estate management** – we advise on agricultural and estate management matters, including farm business tenancies, grazing licences, subsidy schemes, minerals and commercial leases.

If required, we attend trustee and management meetings, and offer focused advice relevant to individual requirements. We work collaboratively with other professionals such as accountants, agents and consultants.

We are members of the Country Landowners Association and Agricultural Law Association, through which we regularly attend meetings and get involved in discussions on issues relevant to our clients.

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***“Sought after for expertise in property transactions and management, rights of access, deeds of easement, renewable energy matters and development agreements.”***

**Chambers 2022 – Agriculture and Rural Affairs**



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## 02. Property and agricultural Case Studies

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### Sale of land

We acted for a farm land owner who entered into an option to sell the land subject to planning to residential developer. Planning was granted for 150 homes and the property was sold. At the same time as the sale a new option was granted to the developer over the adjoining farm land for potential future residential development. The sale also required a surrender of an existing FBT affecting the land to procure vacant possession.

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### Contested sale

We advised a significant agricultural landowner client, who entered into a sale contract in 2015 for the sale of a substantial area of agricultural land for residential development and which it wished to bring to an end. The client's previous solicitor had served notice terminating that contract and entered into a new contract with a third party, conditional on termination of the first contract. Unfortunately, the client's previous solicitor died and we had to step in at extremely short notice to deal with the contested termination. Two Counsel's opinions were sought at various points of the procedure and, in the end, the sale was completed with the overage capable of being bought out separately.

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### Diversification

We acted for a longstanding estate client, on a diversification scheme for the landed estate that involved converting derelict buildings on the estate into a retail village for commercial lettings.

We were instructed to assist with the set up and structure of the site and lettings, including infrastructure, construction and commercial lettings. We have been instructed to deal with the site set up and commercial lettings of an extension to the development.

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### Farm acquisition

We acted on the acquisition of a 140-acre farm made up of four parcels of land from three separate sellers, all separately represented. The transaction involved two main acquisitions followed by an immediate land swap, to provide an access strip between the areas of land purchased. A significant part of the land was subject to a farm business tenancy, which added a further complication and required advice on entitlements and compensation.

We successfully liaised with the other lawyers involved to negotiate a simultaneous exchange and completion of all three transactions, as the client had requested.

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*“The firm look to take a practical and commercial stance on legal issues, understanding that there is often more than one right way to do things.”*

Legal 500 2022 – Agriculture and Estates

## 02. Property and agricultural Key Contacts



**Robert Wofinden**  
Partner & Head of Agricultural  
& Estates

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Robert has over 18 years' commercial property experience and specialises in property development and strategic land transactions, but also advises on a wide range of more general rural and agricultural property matters, acting for and advising a wide range of clients including high net worth private clients, investors, developers, charities and owners of large landed and commercial estates.



**Georgina Euden**  
Senior Associate

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Georgina is a member of our property team and has particular focus on agriculture and landed estates. She previously worked for the Duke and Duchess of Rutland at Belvoir Estate and brings practical knowledge of landed estates, having dealt with matters such as manorial rights and historic legal rights during her time there. Georgina is a fellow of the Agricultural Law Association.



**Mark Lewis**  
Partner

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Mark heads up the firm's real estate finance team which specialises in secured property lending. Mark's team supports the banking and finance team as well as independently acting on property finance transactions with specialisms including agricultural, landed estates, development and investment. Mark acts for several high street banks and high net worth and agricultural focused lenders as well as acting for landowners as borrowers. Mark provides practical commercial advice to the firm's client's in taking security over/lending against property. Mark is known for being easy to use, approachable, proactive and always prepared to 'give a view'.



**Sophie Meehan-Green**  
Associate

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Sophie Meehan-Green is an Associate in the property team developing her specialism in providing rural business advice, particularly to landed estates. Sophie also assists members of the wider team with strategic land transactions, for example drafting option agreements, overage deeds, promotion and collaboration agreements. Sophie also works on a series of general agricultural matters, such as drafting and advising on agricultural tenancy agreements and grazing licences. Sophie is continuing her studies in agricultural law and has recently become a member of the Agricultural Law Association.



## 03. Corporate and commercial

**We regularly advise estates clients, individuals, trusts and charities on their corporate and commercial arrangements – including in relation to family offices, family investment companies, trusteeships over business interests and succession.**

For example, on the corporate side in addition to the support we provide in relation to transactions and funding, we advise high net worth individuals on a range of issues relating to their business interests from structuring or realising their investments through to succession issues in relation to owner managed businesses.

We also advise on the setting up and ongoing governance of family investment companies and angel investors on their investments in trading companies and in relation to the use of partnerships and LLPs. We also have a corporate trustee which acts as a trustee in many of our clients' trust arrangements.

On the commercial side we advise on contracts and arrangements relating to any commercial activities carried out by our clients or activities relating to their properties, business or assets.

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***“One of the key corporate firms in the East Midlands market.”***

**Legal 500 2022 – Corporate and commercial: Nottingham and Derby**



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## 03. Corporate and commercial Case Studies

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### Corporate arrangements

Acting for Tom Joule, the founder and chief brand officer of premium lifestyle brand Joules, on a range of corporate arrangements, including:

- on the £22m investment in Joules by Lloyds development capital
- on the £140m listing of Joules on AIM
- on the establishment of a family investment company, which has undertaken a number of property investments.

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### Various commercial arrangements

We act as trusted advisor for the trust and company entities and individuals that form part of a large landed estate, on a broad range of commercial arrangements, including:

- advising on a number of location agreements for films
- advising on concert venue agreements with promoters for performances by artists such as Il Divo and Tom Jones
- providing advice in respect of the estate's agenda to drive commercial value from the including advising on entertainment and alcohol licensing, health and safety laws and catering contracts with both caterers and consumers
- advising on the redevelopment of building for retail outlets which included drafting commercial contracts required for the sale and purchase of goods and services.

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*“They are very professional with a depth of expertise that will help get complex deals across the line.”*

Chambers 2022 – Corporate/M&A

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*“They are excellent. Great people who are competent and understand their clients.”*

Chambers 2022 – Corporate/M&A



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## 03. Corporate and commercial

### Key Contacts



**Gavin Cummings**  
Partner

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Gavin is head of our private equity team and has a wealth of experience providing strategic advice to founders and management teams on their corporate interests. His experience includes acting for the Dutton family on its development and subsequent exit of Synseal Extrusions; supporting Tom Joule, founder of retailer Joules, on the private equity investment by LDC and subsequent listing and advising the Gregory family on their disposal of Cromwell Tools.



**Iain Blatherwick**  
Partner

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Iain joined the firm in 1993, specialising in corporate transaction work for both private and public sector clients, as well as partnership and LLP issues.

He became a Partner in 1999 and then head of our business services department in 2008. In May 2009, Iain took on the role of Managing Partner and over 11 years presided over a period of unprecedented growth and activity for the firm, before stepping down in April 2020.

Iain now has a focus on Governance and Leadership, with three key aspects 1) executive leadership coaching – making use of his experience of leadership at the firm 2) business structures – corporates, family companies, reorganisations, LLPs and partnerships, and 3) private client – wills, trusts and estate planning.

Iain completed the Academy of Executive Coaching (AOEC) Practitioner Diploma course and is now a qualified executive coach accredited by AOEC and at Practitioner level by the European Mentoring and Coaching Council (EMCC).

*“We have worked with Browne Jacobson for a number of years and have always found its lawyers to be very responsive. The teams we work with consistently deliver practical and commercial advice that is relevant to our needs”*

Joules





## 04. Regulatory

Our criminal, compliance and regulatory team is well used to reacting to fatal and serious accidents which often raise issues covering: police involvement, privileged internal investigations, disclosure to the HSE, access rights to documents and equipment, questioning of employees and contractors and the appeals against improvement and/or prohibition notices.

The team both prosecutes and defends, regularly supporting business and individuals in a wide range of sectors, including those within the agricultural sector.

This includes:

- defending companies/partnerships and individuals facing gross negligence/ manslaughter investigations/ health and safety investigations involving commercial and farm related accidents. These could result in investigations by all types of linked government bodies including HSE, Environment Agency, BIS, DEFRA and HMRC.
- alleged breaches of the Animal Welfare Act 2006 and the Protection of Badgers Act 1992
- acting for farmers and members of the shooting fraternity in firearms related offences; successful appeals to the crown court for firearms revocation cases
- advising on health and safety aspects applicable to commercial shoots
- local authority trading standards investigations involving milk contamination; animal tagging/ passport breaches; animal cruelty cases involving the importation/sale/transportation of livestock; alleged breaches of the Food Hygiene Regs 2006; Egg and Chick Regs 2009.



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*“They are quite simply markedly better than their national competitors.”*

Legal 500 2022 — Health and Safety

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## 04. Regulatory Case Studies

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### Health & Safety Prosecution

We supported a smallholder when a volunteer died becoming entangled in an unprotected power take-off shaft. The smallholder faced two charges under the Health and Safety at Work Act (to which he pleaded guilty) and a charge of gross negligence manslaughter (to which he pleaded not guilty) and faced up to 18 years' imprisonment.

We supported on the initial investigation, interviews with police and initial court hearings. The case involved the examination of expert audio and photographic evidence along with vulnerable witnesses, two of whom required special measures during their evidence. Although convicted he was sentenced on the basis of medium culpability and sentenced to 4.5 years.

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### Environmental Agency Investigation

We supported a landowner client in relation to an Environment Agency investigation. The incident arose from the irrigation of fields with "dirty water" from the farm; namely, rainwater run-off from the concreted road, outside yard areas within the farm and parlour washings.

The farm used a Briggs Irrigator to irrigate the fields using the dirty water and on a particular day the irrigator caught a land drain and an amount of dirty water directly entered the drain, subsequently passing into an adjacent brook causing pollution. The investigation by the Environment Agency revealed high ammonia readings which, it was suggested, evidenced that the polluting event was not a single event.



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*“Nigel Lyons and Dale Collins provide an unusual combination of both hard work and a determined focus on the client’s interests. Nobody else does the work in the way this practice and these individuals do it.”*

Legal 500 2022 — Health and Safety



## 04. Regulatory Key Contacts



**Nigel Lyons**  
Partner

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Nigel has a criminal law background and has specialised in all types of contentious regulatory advocacy for many years. Nigel's particular emphasis is on the agricultural sector, together with expertise in health and safety and environmental cases. This includes defending companies/partnerships and individuals facing gross negligence/manslaughter investigations/ health and safety investigations involving commercial and farm related accidents.



**Dale Collins**  
Partner

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Dale is a partner specialising in regulatory crime, particularly health and safety, environmental and food safety breaches in all sectors.

He is a solicitor-advocate, holding his Higher Rights qualification, and has been a court advocate for over 30 years, appearing before Magistrates' and Crown Courts throughout the country as well as inquest hearings on behalf of clients in the agricultural sector.



## 05. About Browne Jacobson

**We offer clear opinions and straightforward legal advice, whenever and wherever you need it – locally, nationally and internationally.**

Complex problems – understood, explained and resolved by a single team, across five offices nationally, working together in long term partnership with you – a genuinely different approach. Exceptional service, every time, from experts you trust and costs that reflect what you value in a law firm, not the things you don't. Sometimes you just need a lawyer, but you'll want to do business with us.

- **sector experts**, working in partnership with our clients – including blue chip corporates, local and owner-managed businesses, NHS Trusts, major insurers, education and public sector organisations
- **specialists in legal solutions** across the private and public sectors, providing a unique offering where they overlap
- **national reach** from our offices in major UK cities including Birmingham, Exeter, London, Manchester and Nottingham
- **experts in international fraud and asset recovery and international investment in the UK** – we have a dedicated bilingual French inward investment team
- **over 500 lawyers, including over 130 partners**, managed and supported by a team of professional specialists
- **a true partnership approach with our clients** – our clients stay with us for the long term because of our sector expertise, straightforward advice, pricing and product innovation and exceptional client service



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*“They are fully deserving of our top award as they consistently demonstrate the highest levels of client experience and achieved high scores against all the criteria we measure.”*

Investors in Customers



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**brownejacobson.com**  
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