

Poultry

Trusted advisors to the poultry sector



Big skies. Big thinking.

Experts in poultry

Our agricultural work is undertaken by a team with a national reputation

As a specialist agricultural law firm, we have been acting for poultry meat and egg producers for over 80 years. We are now regarded as experts in the sector and are well placed to advise producers and landowners across the supply chain on a whole range of matters, from start-up to succession or sale.

With the UK at 75% self-sufficiency in broiler production and the sector benefitting from the consumer's preference for leaner meat, the prospects look solid. At the same time, some 35 million eggs are eaten every day in the UK. With ambitious retailer targets for free range production we expect movement in the sector to continue.

Poultry lettings are a specialist area. They have the feel and complexity of a heavyweight commercial letting, with detailed rent review, repairing and renewal provisions, but they are farm business tenancies governed by the Agricultural Tenancies Act 1995. We combine our commercial property and agricultural expertise to ensure that agreements work for the parties while respecting the requirements of the governing legislation.



Our work in more detail ...

- We acted in the sale of an egg production site where multiple individual and corporate landowners were involved. Employees had to be transferred, as well as part of the laying flock. Overage in relation to future development had to be negotiated and restrictive covenants touching on intensive production had to be dealt with.
- A poultry meat producer instructed us to act for him in the implementation of a joint venture relating to an on-farm anaerobic digestion plant. We were involved in drafting the feedstock supply and offtake contracts and drawing up the lease to the joint venture.
- Instructed by a major poultry producer, we completed a time-sensitive sale of seven farms consisting of more than 40 large poultry sheds and 11 residential properties, on time and on budget. The transaction needed specialist knowledge of environmental permitting, TUPE and agricultural worker housing.
- One of our litigation partners acted for a poultry and pork meat producer in its challenge to a Food Standards Agency decision that de-sinewed meat should be classified as mechanically separated meat. The long-running case involved a preliminary ruling by the Court of Justice of the European Union.
- Members of our property and taxation teams advised a landowner in relation to a long-term joint venture with a specialist broiler producer, involving the setting up of a special purpose vehicle (SPV) backed by a shareholders' agreement, coupled with an option for lease to the SPV and an agreement on the provision of residential accommodation. Our instructions included the provision of advice on the tax implications of the venture.
- Working for the tenant on the grant of a farm business tenancy of an intensive poultry rearing unit, we were required to deal with matters arising from the Heads of Terms, which included: the landlord securing satisfactory planning consents for the site and ancillary works; landlord's construction of sheds and associated works in conformity with tenant's spec; an option to renew after an initial fixed term period; the repairing and insuring liability in relation to the sheds (and associated renewable energy installations), and the provision of agricultural worker accommodation on site.
- When instructed to advise on an egg supply contract, sector-specific provisions were included to cover Animal and Plant Health Agency registration, Freedom Foods accreditation, British Lion mark stamping, use of approved feedstuff suppliers, liability for product recalls, force majeure (e.g. due to official restrictions imposed as a result of avian influenza outbreaks), provision of flock veterinary reports to the purchaser and price variations based on feed costs.
- We were instructed by landowners in relation to proposed agreements for lease which incorporated an obligation for the landowner to obtain planning permission and to build out free range egg production units. Farm business tenancies were subsequently granted by the landowner to the free range egg producer, with the rent reflecting an agreed return on capital.

Our services

Commercial

- egg supply contracts
- contracts for the provision of management services
- breeder rearing agreements
- poultry litter feedstock contracts
- joint ventures and share farming

Planning

- CPO and related disturbance issues affecting poultry sites
- s106 agreements/unilateral undertakings in relation to poultry developments
- highway and infrastructure matters
- rating/de-rating issues

Regulatory and environmental

- abatement notices
- environmental permitting variations
- Environment Agency and Foods Standard Agency prosecutions
- Trading Standards, RSPCA and HSE investigations
- private nuisance claims

Property

- sale and purchase of sites for poultry production
- sale and leaseback of poultry sites
- farm business tenancies and options for lease
- easements and wayleaves affecting poultry production areas
- worker accommodation

Dispute resolution

- contractual claims following non-fulfilment of supply contracts
- disputes in relation to solar pv and on-farm AD installations on poultry units
- arbitrating egg production disputes
- settlement agreements (employment)

Your Poultry Team



Edd Johnson

edwardjohnson@roythornes.co.uk

Partner, Property

For sound advice on every kind of energy, waste and renewables projects, whether a developer or a landowner, Edd is the first port of call. His knowledge and experience are not easily matched.

Specialist areas: large scale energy and waste projects, minerals



Emma Hill

emmahill@roythornes.co.uk

Associate, Property

As well as handling complex, high-value sales and purchases, Emma is gaining a reputation for her skilled work in poultry rearing agreements and poultry FBTs, acting for both landlord and tenant.

Specialist areas: CAP issues, secure tenancies, financing arrangements; complex sales and purchases involving TUPE



Julie Robinson

julierobinson@roythornes.co.uk

Partner, head of Agriculture

Described by The Legal 500 as having “a high degree of competence and a forensic mind”, Julie is a specialist agricultural lawyer. She is currently advising on the impact of Brexit on farm businesses.

Specialist areas: farm structures, landlord/tenant, share and contract farming, co-operatives and producer organisations, water law, farm subsidy and environmental schemes



Shruti Trivedi

shrutitrivedi@roythornes.co.uk

Partner, Planning

Whether acting for developers, landowners, investors or public bodies, Shruti is a leading lawyer in the planning area. She will face any and every complex planning issue head-on - with dependable success.

Specialist areas: complex planning, highways, infrastructure and environmental issues



Peter Cusick

petercusick@roythornes.co.uk

Partner, Litigation

Peter is an agricultural litigator with a national reputation. He has acted successfully against the RPA and Defra, particularly in subsidy cases. Chambers UK once said of him: “...He has a brilliant legal mind.”

Specialist areas: partnership and shareholder disputes, contract disputes, agency law, banking litigation, professional negligence claims, subsidy claims



Phil Cookson

philcookson@roythornes.co.uk

Partner, head of Litigation

Phil’s extensive knowledge of the farming industry enables him to offer pragmatic advice both in tackling employment issues and preparing robust defence for farmers when at risk of prosecution. His impressive track record speaks for itself.

Specialist areas: employment law, TUPE issues, regulatory defence issues (HSE, EA, DEFRA, etc)

Your Poultry Team



Tim Russ
timruss@roythornes.co.uk

Partner, Litigation

Tim is a senior dispute resolution lawyer, acting for farmers, estates, food businesses and private clients.

He has handled several judicial reviews against the Food Standards Agency and Defra within the farming and food industries.

Specialist areas: agricultural tenancies; landlord and tenant/property/partnership company disputes; wills, probate and trusts; professional negligence and contractual claims



Kirsten Rimmer
kirstenrimmer@roythornes.co.uk

Associate, Property

Kirsten has a wealth of experience in both commercial and agricultural property matters. With farmers looking to diversify more and more, she is able to offer wide-ranging advice.

Specialist areas: options, development agreements; agricultural/commercial tenancies; FBTs; telecoms leases; road/rail compulsory purchases; adverse possession matters; lending/security/re-mortgaging



Mike Matthews
mikemathews@roythornes.co.uk

Associate, Corporate & Commercial

Mike has quickly developed key industry knowledge making him a highly valued member of both the Corporate and Food & Drink teams. His practical approach towards any transaction underlines his astute business acumen.

Specialist areas: corporate mergers and acquisitions; supply and construction contracts; joint ventures; farmer co-operatives; partnership agreements and corporate finance.



Julia Seary
juliaseary@roythornes.co.uk

Partner, Corporate & Commercial

Having worked as a General Counsel within large corporate organisations, Julia is recognised for her balanced and sensible approach towards corporate and commercial matters. She brings a particularly risk-based, pragmatic style to the table.

Specialist areas: shareholder agreements and joint ventures; distribution and agency arrangements; franchising; agricultural supply contracts; partnerships and LLPs; charities



Lisa Millington
lisamillington@roythornes.co.uk

Associate, Private Client

Lisa's work in high-value estate and trust administration is much sought after. The reporting of the ten year charge in trusts, as well as the complicated calculation that goes with it, is her forte. She's also an IHT mitigation expert.

Specialist areas: estate administration, trusts, tax planning, as well as the full range of private client work



Jarred Wright
jarredwright@roythornes.co.uk

Partner, Private Client

Jarred's food and farming-based clients continuously benefit from his specialist knowledge of their industries. He is a Fellow of the Agricultural Law Association and one of the Fellowship course leaders, teaching and examining those professionals studying to become Fellows themselves.

Specialist areas: Inheritance, Capital Gains and Income Tax planning, trust law, succession planning, business re-organisation, agricultural tenancies and payment schemes

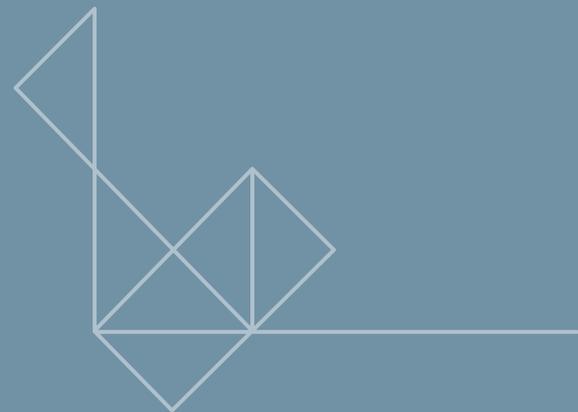
Our poultry work is undertaken by a team with a national reputation. We are highlighted in leading legal guides such as the Legal 500, where we regularly appear as a Tier 1 firm for agricultural work.

It is the combination of technical expertise, personal attention and commercial acumen that sets us apart.

Testimonials ...

“Our company recieved first class service with very prompt attention. I have no doubt the advice and actions Roythornes provided will result in significant and tangible long term benefits to our business.”

“We’ve been dealing with Roythornes for over ten years now, in personal and business circumstances and we can’t fault them.”



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