

Buying Agricultural Land – 21 Questions every purchaser should ask

There are many factors to be considered when entering into the purchase of agricultural land.

Before you consider buying agricultural land take a read through our recommended list of critical questions for any buyer...

- Is there a large scale plan of the property agreed by the Seller's and Buyer's surveyors annexed to the contract?
- Are all footpaths, easements and services marked on the plan?
- Is the ownership of boundaries clearly defined?
- Is there access to all of the Property for all purposes?
- Do other parties have rights of way over the Property?
- Are there any sites of special scientific interest on the land?
- Is there an ancient parish church in the vicinity? If so, what is the position regarding corn rents and annuities, and chancel repairs?
- Has an agricultural credit search been made?
- Has a commons registration search been made?
- Are there crop and other quotas which may benefit the Property? Are they transferable?
- Have any grants or subsidies been received or are they payable in respect of the land?
- Will the right to harvest crops pass to the Buyer or be retained by the Seller?
- Will the Seller require access to harvest after completion?
- Are there, or have there been, any notifiable diseases on the Property?
- Is water supplied from mains or by way of private spur?
- Is water supplied from a private source from adjoining property? If so, what are the contractual rights and obligations of the parties?
- Is the Property subject to agricultural tenancies?
- What enquiries should be made as to past use of the land bearing in mind environmental legislation?
- Is discharge from slurry tanks or yard washing sufficiently contaminated to require licence/consent from National Rivers Authority?
- Is VAT, capital gains tax, inheritance tax, corporation tax applicable to and payable on the transaction? Has the relevant party been advised?
- Is there a need to reserve in favour of the Seller: Sporting rights? Mineral rights? Incorporeal hereditaments in respect of the land?

