

# Viticulture Service Overview

The viticulture industry in the UK is a fast paced and developing industry. Paris Smith is incredibly proud to support Wine GB as an industry partner and to be an active participant in the flourishing of this dynamic sector. As a large regional law firm, we use our experience and expertise to provide practical and commercial legal advice to businesses of all sizes, as well as individuals. We are committed to working as partners with our clients to achieve their objectives and we are delighted to support the sustainable growth of the Great British wine sector.

## YOUR LEAD CONTACT

As a benefit of membership, Wine GB members are entitled to a free 15 minute consultation with any of the Paris Smith Viticulture Team if a need to seek legal advice arises. Please see below the full details of the services the team can assist with and the key contact in each area.

If you would like to use this benefit and know the service you need, you are welcome to contact the relevant solicitor directly using their contact details below. If you would like further guidance on the best person to speak to, please contact Charlotte Farrell and Tabytha Cunningham on [er@parissmith.co.uk](mailto:er@parissmith.co.uk) or 02380 482134 and they would be happy to put you in touch with the right person.



Tabytha Cunningham & Charlotte Farrell

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## EMPLOYMENT & IMMIGRATION

- Recruitment and contracts of employment
- Day to day HR advice including grievance, disciplinary, performance and absence management processes
- Tribunal representation and settling claims pre and post issue
- Drafting staff handbooks and key policies
- Advice on the enforceability of restrictive covenants
- Advice on redundancies and business restructures
- Advice on employment status and the use of casual workers
- Data protection issues

- General right to work issues affecting all businesses
- The rights of EU nationals to work in the UK post Brexit
- Seasonal worker visas and rights
- The youth mobility scheme
- Applying for a sponsor licence
- Compliance with the key sponsor duties of reporting and record keeping
- Skilled worker visas

## CORPORATE, COMMERCIAL, BANKING AND FINANCE

- Setting up a business, buying a business, or selling a business
- Shareholder arrangements
- MBO's equity investments
- Company secretarial matters
- Internal governance advice
- Management structure advice
- Terms and conditions and supply agreements
- Supply and distribution agreements

- Product contracts
- Advice on terms and conditions
- GDPR and data protection compliance, including privacy policies, data protection policies, appropriate policy documents, and other related documents
- Intellectual property advice, including trade marks, copyright, and licensing
- Transactional insolvency
- Loan/facility agreements
- Security documents
- Guarantees (corporate and personal)
- Conditions precedent

# AGRICULTURAL PROPERTY, COMMERCIAL PROPERTY AND ELECTRONIC COMMUNICATIONS CODE

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## PLANNING, PROPERTY AND LAND DEVELOPMENT

- Farm sales and purchases
- Farm Business Tenancies
- Support for rural businesses and industries
- Re-financing Landlord and tenant work for rural businesses
- Renewable energy infrastructure agreements
- Land development and diversification for landowner clients
- Nitrate credit allocation agreements
- Commercial Sales and purchases
- Commercial Business Tenancies
- Commercial refinancing Landlord and tenant work for commercial businesses
- Electronic Communications Code Advice and Agreements

- Wayleaves
- Strategic planning and legal advice
- Certificates of lawfulness
- Drafting section 106/278 agreements
- Public and statutory consultations
- Land transactions
- Property development
- Conditional contracts
- Option agreements
- Promotion agreements
- Property purchases
- Company secretarial services

## FAMILY DISPUTES

- All family law matters, including upon relationship breakdown or asset protection upon marriage or civil partnership (pre and post-nuptial agreements)
- Family matters involving agricultural, farming and rural matters
- Practical and creative solutions to minimise the impact of separation or family disputes
- Non-court dispute resolution including mediation, collaborative practice and arbitration

## INHERITANCE TAX, TRUSTS AND TAX, ESTATE AND SUCCESSION PLANNING

- Clear and Precise Advisory Services
- Tax Planning
- Inheritance and Capital Gains Tax Expertise
- Inheritance Tax Planning and Relief Maximisation
- Inheritance Tax Mitigation
- Capital Gains Tax Mitigation
- Succession Planning for Agricultural Clients
- Estate and Succession Planning

- Tailored Transition Planning for Families
- Streamlining Complex Family Ownership Structures
- Asset Protection for Families
- Trust Management and Professional Trustee Services
- Trust Management
- Estate Administration
- Collaboration with Accountants and Land Agents

# DISPUTE RESOLUTION SOLUTIONS

- Challenges to the validity of wills and codicils
- Inheritance Act claims
- Proprietary estoppel claims
- Disputes between personal representatives
- Maladministration (devastavit) by executors and administrators
- Breach of duty by trustees and attorneys
- Removal of executors and trustees
- Caveats, warnings, appearances, and citations
- Property disputes, including adverse possession claims ("squatters' rights") and disputes relating to boundaries, easements, and restrictive covenants
- Agricultural disputes, including repossession, adverse possession claims, and advising on easements and restrictive covenants
- Commercial property disputes (for both landlord and tenant), including advising on business lease renewals under the Landlord & Tenant Act 1954, service charge and rent arrear disputes, service of break notices/options to determine leases, breach of tenant or landlord covenants in leases, and associated injunctive relief
- Personal disputes, including advising on boundary disputes in residential homes, adverse possession claims in Lands Tribunal, and easements and restrictive covenants affecting residential homes

- Insurance disputes, including challenging underwriters' decisions to avoid policies for material non-disclosure, policy interpretation, challenging limitations imposed on the extent of policy cover, complaints to Lloyd's, and complaints to the Insurance Ombudsman
- Construction disputes, including disputes in the Technology & Construction Court, the High Court, and the Court of Appeal, as well as adjudications, arbitrations, and mediations
- Business-related criminal law matters, including road traffic offences
- Advice on Health and Safety requirements, investigations, and prosecutions
- Issues involving the Environment Agency and local authorities
- Commercial and corporate disputes, including shareholder disputes, unfair prejudice and derivative claims, partnership disputes, and contract disputes
- Debt collection
- Advice on insurance policies and disputes
- Claims against professional advisers, including accountants, surveyors, and solicitors
- Resolution of disputes arising from landlord and estate management
- Possession proceedings against either "persons unknown" or tenants who remain in unlawful occupation



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