

King's Speech 2023



Introduction

The King's Speech, held in Parliament on 7 November 2023, set out the government's legislative programme for the year ahead. There were only a few matters of direct interest to rural businesses, which we summarise here. It should be noted of course there is no guarantee that legislation proposed in the Speech makes it through to the statute book and matters not mentioned may be introduced and passed. We also summarise below the draft legislation that fell at the Prorogation of Parliament.

Leasehold and Freehold Bill

Parliament recently passed the Leasehold Reform (Ground Rents) Act 2022, which put an end to ground rents for new, qualifying long residential leasehold properties in England and Wales. This proposed Bill goes further in seeking to make it cheaper and easier for existing leaseholders to extend their lease, buy their freehold and take over management of their building. Proposals include increasing the standard lease extension from 90 to 990 years for both houses and flats, and also reducing the ground rent to £0, requiring transparency over leaseholder's service charges, as well as banning the use of leasehold tenure for new homes.

Renters (Reform) Bill

This Bill started its Parliamentary journey in May 2023 and has been carried over to the new session. The Bill would be used to abolish section 21 'no fault' evictions in England but only when revised section 8 possession grounds and a new court process is in place. Preventing blanket bans on pets, children and those in receipt of benefits, plus supporting better dispute resolution is also on the cards. See our briefing note on the Bill [here](#).

Trade (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) Bill

The UK concluded negotiations to join the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) on 31 March 2023. The proposed Bill will bring the agreement into force, to take effect once the trade body has completed its process. The UK was keen to join CPTPP as an independent country as it includes some of the world's most dynamic economies with existing relevance to UK exporters of agri-food. The government expects UK dairy farmers to benefit from reduced tariffs for cheese and butter exports to Canada, Chile, Japan and Mexico. Whisky producers are also likely to benefit. Over 99% of current goods exported to CPTPP countries will become eligible for tariff-free trade.

Automated Vehicles Bill

Landmark legislation will pave the way for the adoption of autonomous vehicles in the UK. 88% of road accidents are due to driver error, so automated vehicles have huge potential to improve road safety if deployed well, supporting a burgeoning domestic industry in self-driving technologies. The Bill will define what an autonomous vehicle is and hold companies accountable for safety requirements and vehicle activity once such vehicles are on the road so users are not held unfairly accountable for vehicle actions. Centralised data sharing of local traffic regulation orders will create a national digital map of the road network and parking spaces. The Bill is likely to be relevant to the use of autonomous agricultural vehicles in the field and for transporting machinery between fields.

Arbitration Bill

This Bill implements recommendations from the Law Commission's recent review of the Arbitration Act 1996 for England and Wales only. Arbitration services are worth £2.5 billion per year to the economy and the Bill is intended to cement London's global reputation as a centre of excellence in arbitration services. It will also impact domestic dispute resolution. Proposals include allowing arbitrators to expedite decisions on issues that have no real prospect of success and placing a statutory duty of impartiality on arbitrators.

Animal Welfare (Livestock Exports) Bill

A key 'Brexit freedom', this Bill would turn the current stop on live animal exports for slaughter and fattening into a permanent ban. It would still be possible to transport livestock overseas for breeding and competitions. The Bill will apply to England, Wales and Scotland.

Relevant draft legislation that fell at the Prorogation of Parliament:

In total 28 Private Members' Bills (PMB) relevant to farms, estates, property and the environment fell at the Prorogation of Parliament. This is the usual outcome for PMBs which are typically used to highlight causes or make bold proposals for change. The success rate between 1997 and 2015 was typically 3-6% (PoliticsHome). Typically lack of parliamentary time prevents their progression but occasionally they secure government backing and succeed, for example, the Animal Welfare (Sentencing) Act 2021 was a PMB. Many fallen PMBs will be reintroduced in the next parliament, generally because the MP succeeds in a ballot.

What was missing from the King's Speech?

Much has been made of the absence in the King's Speech of any dedicated legislation reforming the current position on nutrient neutrality. Given the broad political defeat the government suffered in the House of Lords during the debate on the Levelling Up Bill, it is unlikely such legislation would be introduced now. The conclusion among commentators is that, although imperfect, nutrient neutrality is here to stay.

The list of Bills in the speech has also been described as short. This may seem surprising given the amount of policy and regulatory change we still expect in the rural and environmental sphere. However, enabling Acts such as the Agriculture Act, Environment Act, Levelling-up and Regeneration Act and Energy Act are now on the statute book and give ministers powers allowing significant reforms and the introduction of new schemes using secondary legislation. For our sector, the focus is now switching from headline primary legislation to secondary legislation and the detail that will be hammered out to put these Acts into practice.

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