

CAAV 2013 NATIONAL EXAMINATIONS
WRITTEN BOARD'S REPORT ON QUESTIONS

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PAPER 1 QUESTION 1

Please make **brief notes** on 5 out of the following 8 subject areas.

4 marks are available for each of the 5 subject areas you answer, 20 marks in total.

- (i) *Energy Performance Certificates:*
- a) *when is one required?*
 - b) *what buildings are exempt from this requirement?*
 - c) *what information must a Certificate provide?*
- (ii) *For the permanent transfer of entitlements with land under the Single Payment Scheme, what is:*
- a) *the process?*
 - b) *the information required?*
- (iii) *The "Green Deal". What is it? How does it work?*
- (iv) *What you understand by the term "overage covenant".*
- (v) *You are in the process of letting an agricultural tenancy for a fixed term of 10 years. Please prepare notes for the client in respect of the following questions about the legal basis for end of tenancy compensation for tenant's improvements:*
- a) *how does the law define what is a tenant's improvement?*
 - b) *into what categories does it divide them for compensation purposes? State for each category what, if any, the notice provisions are for the improvement to be eligible for compensation and give brief examples.*
 - c) *what is the statutory basis of valuation for tenant's improvements?*
- Please indicate if your answer is with respect to an FBT (England and Wales) or an LDT (Scotland)*
- (vi) *HMRC has agreed that your firm's deceased client's house is a farmhouse for Inheritance Tax purposes. Prepare notes to brief your principal, stating relevant case law, on:*
- a) *what is required for it to be of a "character appropriate"?*
 - b) *what basis of valuation is to be adopted?*
- (vii) *Under the Money Laundering Regulations:*
- a) *what duties and process are imposed on a business that wishes to practice as an estate agency?*
 - b) *what actions must an employee taken when dealing with each individual sales instruction?*
 - c) *what checks must be made where the client is an individual, a limited company, a trust and a public limited company?*
- (viii) *What are the standard measures proposed for "greening" under the current agreement for the reform of the Common Agricultural Policy? What is to be the "greening" payment and the associated penalties?*

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No of Candidates:	114
Average Mark:	52%
No of Candidates with 65% or over:	15
Percentage of Candidates passing question:	13%
Highest Mark:	77%
Lowest Mark:	27%

The following schedules the number of candidates that attempted each subject area and the average mark for that subject:

Subject	No. of Candidates	Average Score (out of 20)
i)	104	10.5
ii)	87	11.7
iii)	49	9.6
iv)	73	10.2
v)	62	8.5
vi)	76	11.6
vii)	35	8.0
viii)	82	11.4

Examiner's Report

As in recent years, this was a multiple-choice question with candidates being required to answer five out of eight questions. It was answered by 114 candidates. It was disappointing that only 13% achieved over 65% and 26% achieved over 60%. This seems to be a reflection that overall many of the candidates seemed to be able to answer three parts reasonably or very well, but then struggled badly on their remaining two choices. Candidates need to be wary of tackling the question if they find themselves in this situation as scoring 30% on two parts of the question makes it very difficult to achieve an overall pass mark on this question.

Turning to the individual parts:

1. A question seeking knowledge on Energy Performance Certificates. Generally most candidates knew when one was required and what information a certificate needs to provide. There were only a few candidates who knew what buildings were exempt from the requirements and a lot assumed that all agricultural buildings were automatically exempt.
2. A question on the process and information required to transfer land and entitlements under the Single Payment Scheme. Most candidates knew the process although some sidetracked onto how they may be sold. Many candidates failed on Part B of the question which asked for what information was required in order to effect a transfer.

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3. A simple question asking for knowledge of the “Green Deal”. Generally this was answered well. The main point a number of candidates missed was the role of the assessor and good candidates knew about the “Golden Rule”.
4. A straightforward question asking for an explanation of overage covenants. Again this was reasonably well answered, however there were a few candidates who tried to answer the question but lacked any knowledge about the subject. The best candidates gave detail on when the uplift was triggered and the methodology for calculating overage payments. Very few talked about the potential effects on a sale in terms of costs, delay and value.
5. Tenant’s improvements under the Agricultural Tenancies Act – what are they, how they are categorised and what is the basis of valuation? Surprisingly, being a core area, a lot of candidates did not answer this well. Quite a number muddled up the Agricultural Holdings Act with the Agricultural Tenancies Act, despite the question clearly asking whether the candidate was answering in respect of an FBT (England and Wales) or an LDT (Scotland). A number also talked about fixtures when the question did not ask for this.
6. Inheritance Tax – the principles of a farmhouse being “character appropriate”. The question was aimed at the tests as summarised in case law. Most candidates got two, maybe three, but few got them all. Most knew the basis of valuation is agricultural value, however some were unaware of this and just stated it would be Market Value in accordance with the Red Book.
7. A question on money laundering. This was generally poorly answered. A few knew the duties and processes for a business, in particular registering with the Office of Fair Trading, appointing an officer and having training in money laundering policies. Most knew how to carry out an identity check and to report suspicious activity. On the final part of the question, whilst most candidates knew what checks were needed of an individual, very few had any knowledge in respect of limited companies, trusts or PLCs.
8. A question on the understanding of “Greening” under the Common Agricultural Policy. This was well answered, presumably as most candidates had read the recent paper produced by the CAAV. The best candidates knew the penalties.

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PAPER 1 QUESTION 2

You act for the landlord of Manor Farm, Churchfield. It is a 172 hectare (425 acre) farm capable of growing good combineable crops. It was let in October 1978. It was due for a rent review as at 11th October 2013 but the rent has not been agreed.

It has a traditional 5 bed farmhouse, a pair of semi-detached farm cottages and a range of useable, but limited, buildings from the 1920/30s. The cottages have been modernised by the tenant, one is sublet with consent on a shorthold (short assured tenancy in Scotland) and the other is occupied by a retired farm worker. The tenant built a 1,000 tonne grain store without the landlord's formal written consent in 2005.

The rent review is proving contentious and you have been asked to draft potential evidence in preparing for a possible hearing.

- a) *Prepare a simple budget for the holding to present at the hearing. (12 marks)*
- b) *List with a brief explanation of each:*
- i) *those factors that the law says must be disregarded at a rent review*
 - ii) *those factors which the law says must be taken into account in determining the rent. (8 marks)*

No of Candidates:	68
Average Mark:	61%
No of Candidates with 65% or over:	36
Percentage of Candidates passing question:	53%
Highest Mark:	90%
Lowest Mark:	25%

Examiner's Report

A rent review question is core to necessary knowledge, with depth, for a Valuer and candidates generally demonstrated a satisfactory grasp of the necessary technical and practical issues raised by the question.

The requirement to produce a simple budget was looking for:

- Ordered Layout
- Logical stepped approach:
 - Output
 - Variable Costs
 - Fixed Costs
 - Treatment of Residential Elements

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- Division of Pre-rent/Finance Surplus
- A sensible grasp of farming numbers, without requiring too great an emphasis on precision.

Part B asked for identification of Statutory Regards and Disregards, with notes, effectively lifted from the Act.

Broadly the question was well answered; there was clear evidence of the majority of candidates having learnt the contents of the Act with regard to rent reviews, in particular regularly being able to quote verbatim the Statutory Regards and Disregards. Part of the marks awarded, as clearly defined in the question, were for a brief explanation both in respect of the Disregards and Regards. Some candidates very usefully related Regards and Disregards to the subject property as much as possible bearing in mind the information provided, others made no explanatory notes at all.

With regard to the Budget part of the question, which carried the bulk of the marks, it was evident that some candidates, perhaps half, appear regularly involved in writing Budgets for whatever reason and particularly with regard to rent reviews, but there was equally consistent confusion amongst those who are not regularly involved in writing Budgets as to how to structure such a piece of work and, in particular, how a Budget will be used to demonstrate pre-rent and finance surplus.

The better candidates were able to set out on the page and follow through the structure of a Budget and provide argument as to how the pre-rent and finance surplus might be split between Landlord and Tenant in the circumstances and most attempted an appreciation of how to deal with the residential property on the holding.

Statistically Part B of the question was better answered, but carried less marks, 55% to 60% of candidates achieving a pass for Part B, but only in the region of 45% to 50% achieving a pass for Part A.

Overall Midland Counties demonstrated best performance on the question with general above average competence in Eastern Group and West Midlands and Wales. However, Western Counties and Cornwall and the South were noticeably poorer in answering the question, without many complete disasters, however, which is encouraging.

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PAPER I QUESTION 3

The owner of a 300 acre farm has asked your advice in respect of potential Capital Gains Tax liabilities.

He has told you that the farm comprises:

<i>300 acres arable land valued at</i>	<i>£2,250,000</i>
<i>6 bedroom farmhouse</i>	<i>£ 600,000</i>
<i>Pair of cottages occupied by farm workers</i>	<i>£ 300,000</i>
<i>Traditional wooden farm buildings</i>	<i><u>£ 150,000</u></i>
	<i>£3,300,000</i>

and that

- he purchased the farm in 1982 for £220,000*
- he is the sole owner and farms as a sole trader*
- he is a higher rate tax payer*
- his wife does not work and has no taxable income*
- he will have no other chargeable gains during this tax year*

He is considering two options:

- a) to retire and sell the whole farm*
- b) sell part of the farm retaining the farmhouse, one cottage, the traditional buildings and 80 acres of land which he will continue to farm*

He has asked you:

- 1. What is Capital Gains Tax? How is it calculated? What are the rates? What are the main reliefs? (7 marks)*
- 2. For each of options a) and b), to set out the different tax treatment of the assets and describe the reliefs available (6 marks)*
- 3. To calculate the tax payable under each of options a) and b) (7 marks)*

Exam Statistics

Number of candidates attempting question	66
Average mark attained	57.69%
Number of candidates with 65% or over	25 (38%)
Number of candidates between 60% and 65%	7 (11%)
Highest mark	88%
Lowest mark	15%

Examiner's Report

This question was intended to allow candidates to demonstrate their knowledge about the basic facts of Capital Gains Tax. The scenario described was kept deliberately simple with only relevant facts supplied.

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The question asked firstly for the basic facts about the tax, how it is calculated, the tax rates and the reliefs available, with no reference to the scenario described. Secondly, two possible options were described; sell everything or sell part and continue with farming the remainder. The question asked for the candidates to set out the different tax treatments for these two scenarios and describe the reliefs available. Thirdly the candidates were asked to calculate the tax payable under these two options having been given all the information required to do so in the question.

The key facts about the scenario, which might have affected the tax treatment were all given in the question e.g. the purchase price, the type of ownership, the fact he was a high rate tax payer, the fact his wife did not work and that he had no other chargeable gains during the year. These facts were intended to help the candidates and to guide them towards the relevant facts they should have been considering. There were no red herrings in the form of irrelevant facts to distract the candidates.

Overall there was a wide spread of knowledge and ability amongst the candidates. Some, including those who attained over 65%, had a good working knowledge of the tax, read the question carefully and generally answered it well, with only the occasional error. Others had very little knowledge at all about this tax and in some cases just wrote down a few notes about any taxes they had heard of, including inheritance tax and income tax. However, as reflected by the average mark of approaching 58%, most of the candidates had some basic knowledge of CGT but were often confused in their approach, often mixing up the reliefs available, and not paying attention to the clues and hints given in the question.

Overall, this question did not require an in depth knowledge of Capital Gains Tax or indeed any knowledge of the relevant tax legislation. Candidates are not expected to be able to give detailed tax advice, which is the preserve of accountants and lawyers, but they should have a basic knowledge of how taxes affect land transactions and of the basic reliefs available.

The main thrust of the second two parts of the question was about how to qualify for 'entrepreneur's relief' which is one of the most important reliefs available and one which can reduce the tax rate to 10%. All candidates should have a basic understanding of this and how to qualify for the relief. The same applies to roll-over relief which is something that anyone dealing with land transactions must be aware of.

Comments on the individual parts of the question are as follows:

- Part 1. There were plenty of simple marks available here for simply reciting the basic facts about CGT. Knowledge of the fact that this was a tax on the 'gain' in value between purchase and sale was key as was a knowledge of the tax rates and the basic reliefs. In general most candidates gained some marks in this part and some candidates who answered the four clear and distinct parts of this question, attained close to maximum marks.

- Part 2. This part of the question required candidates to spot that the difference between the two scenarios described was the availability or not of entrepreneur's relief, i.e. it is available on a complete disposal but not on only the sale of part of the business. Candidates who understood this point and explained it clearly along with demonstrating a knowledge of the other reliefs available such as a tax free transfer between spouses to take advantage of allowances and different tax rates, generally

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scored well. Unfortunately, many candidates failed to spot the Entrepreneur's Relief element and it was very difficult for them to score enough marks to pass on this question.

- Part 3. Where candidates had done well in part two, they all did similarly well in completing the tax calculations in this part. Basically this part of the question allowed them to demonstrate with some actual figures the facts they had been writing about in the previous two parts. Where some candidates had begun to go wrong in Part 2, it was very difficult for them to recover in Part 3 as the two parts were clearly closely related.

Overall, there was a clear influence noticeable from those who had attended seminars or tutorials on this subject and had understood what had been taught. For those who had, this was a relatively straightforward question on a key part of the syllabus. The bulk of this who failed had some knowledge but it was often patchy or confused and was not up to the standard that would be expected of any qualified valuer.

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PAPER II QUESTION 1

You are advising a landowner in negotiation with a renewable energy developer over terms for the occupation of 75 acres of bare land to construct and operate a field-based Solar Photovoltaic Array.

- (A) *List the principal headings you would expect to see by way of the commercial terms to be agreed as part of the Option Agreement, prior to the Lease being drafted. (10 marks)*
- (B) *Write a brief explanatory paragraph on 5 of the headings under (A) above with an indication as to what you would expect to see agreed under each. (5 marks)*
- (C) *Write a brief explanatory paragraph on 5 principal commercial terms you would advise your client should be covered in the draft Lease. (5 marks)*

No of Candidates:	51
Average Mark:	67%
No of Candidates with 65% or over:	30
Percentage of Candidates passing question:	59%
Highest Mark:	88%
Lowest Mark:	18%

Examiners Report

This was a question on terms for an option agreement for a ground based solar PV array and subsequent lease terms. Part A of the question carried 50% of the marks and required candidates to list relevant "Commercial terms" for the option agreement. The inference was that this would cover the period while the developer obtained planning consent. A number of candidates failed to read the question properly and gave a list of lease terms rather than option terms. However most dealt with this well and many scored quite highly.

Part B required discussion on 5 of the relevant option terms. The examiner was looking for values and timescales where relevant as well as broader discussion. Some candidates failed to read the question and gave a discussion of lease terms.

Part C required a discussion of 5 relevant lease terms. Again values and timescales were expected where relevant as well general discussion on the terms.

Parts B and C carried 25% of the marks each and were not generally dealt with as well as Part A. In general this question was fairly well answered with higher average marks than many other questions. Whilst a knowledge of solar pv would have been helpful, a good mark was quite attainable through a general knowledge and understanding of typical option and lease terms.

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PAPER II QUESTION 2

Your client has a 150m² stone barn on the edge of the farm. It has been unused for a few years. It would be ideal for conversion to a single dwelling.

(A) Write a letter to your client setting out how you intend to try to get the necessary planning permission, including the factors that will be considered by the planners to enable them to process the application. (16 marks)

(B) A 100m² let barn in the main farmyard was converted to offices in 1999, but planning permission was never applied for. Set out the information required to regularise the planning position. (4 marks)

No of Candidates:	42
Average Mark:	59%
No of Candidates with 65% or over:	15
Percentage of Candidates passing question:	36%
Highest Mark:	78%
Lowest Mark:	36%

Examiner's Report

This question concerned rural planning and falls within Section 3 of the CAAV Syllabus. It was in two parts; Part A sought to examine candidates' understanding of both national and local policy and the planning process as well as the practical issues of applying to convert a barn for residential use. Part B, which attracted four marks, looked at the unauthorised use of an already converted barn and how this might be regularised with a Certificate of Lawful Existing Use or Development (CLEUD).

Following the recent change in emphasis, in policy terms, for the conversion of rural buildings contained within the National Planning Policy Framework together with the recent changes and proposed changes in permitted development rights for redundant buildings, this was a very topical question which adopted a straightforward scenario. It is perhaps rather surprising that only 38 candidates chose to answer the question and that overall, the standard of answers can best be described as "average".

Part A

Generally, candidates demonstrated a good understanding of national planning policy with regard to the change of use of rural buildings for residential conversion. Virtually every candidate was aware of the National Planning Policy Framework and a significant number of these were also well abreast of changes (both recent and proposed) to permitted development rights. The best candidates made reference to "sustainable development" and also the

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criterion set out in paragraph 55 of NPPF. Too many candidates glossed over the continuing existence and importance of Development Plans with many saying that Local Plans were now irrelevant. This is not necessarily the case.

Candidates showed a reasonable understanding of what was required in preparing and submitting a planning application. There was widespread reference to pre-application enquiries, scale drawings, structural surveys, ecological surveys etc. A small but significant number made no reference to the need for a Design and Access Statement which is a pre-requisite for any type of planning application including development. The best answers also included references to highways/access, services, conservation/listing, landscaping, affordable housing contribution/CIL etc, but these were the exception rather than the rule.

Several candidates suggested as an option, that the client should wait until the proposed changes to permitted development rights (conversion of redundant buildings for residential conversion including works) were confirmed as, depending on the outcome of the consultation process, this could help shorten the process. This was good advice and was reflected in the marks scored. Other candidates put forward that the best option was to apply for an agricultural worker's dwelling and then proceeded to set out the planning policy and planning process requirements for such an application. Again, this option was marked appropriately.

Part B

The second part of the question asked candidates how they would deal with an unpermitted conversion of a farm building to offices. This part of the question was well answered with the majority of candidates being able to explain both the legislative background and also the application process for a Certificate of Lawful Existing Use and Development. The best candidates made reference to Section 191 of the Town and Country Planning Act 1990 and in so doing demonstrated their depth of knowledge and understanding of the legislative framework.

The essential elements to be found within the answer included a 10 year qualifying period, the need for evidence of a *continuous* breach, the use of statutory declarations, copies of the lease agreement and a record of rental payments etc. Some candidates also widened their answer out by including a reference to the new General Permitted Development Order and the ability to change the use of the barn from office use to residential use under new permitted development rights. The best candidates coupled this together with a possible retrospective planning application as an alternative way of regularising the position.

Overall, it was refreshing to see that candidates had a good grasp of how to deal with a breach of planning control.

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PAPER II QUESTION 3

You have been asked to assess the market value of a number of assets on a small estate. Before commencing, your client has asked that you send him a report advising on the key factors and different methodologies in the approach for valuing each of these assets and comment on what type of buyer each may appeal to.

- (A) *50 hectares of arable land owned and farmed in hand* (5 marks)
- (B) *40 hectares of arable land on a 5 year agricultural tenancy which commenced on 29th September 2012.* (5 marks)
- (C) *80 hectares of arable land subject to a tenancy which commenced on 1st June 1984.* (5 marks)
- (D) *A modern 3 bedroom cottage, subject to an Agricultural Occupancy restriction.* (5 marks)

No of Candidates:	65
Average Mark:	58%
No of Candidates with 65% or over:	30
Percentage of Candidates passing question:	46%
Highest Mark:	83%
Lowest Mark:	26%

Examiner's Report

A simple enough question asking for a report advising on key factors, methodologies and type of buyer for land and a cottage. It was disappointing that too many candidates missed one out, mostly the key factors which were almost free marks! Every candidate could list at least 10 key factors when valuing farmland.

The methodology was not a trick question and a few resorted to inventing new and previously unknown valuation techniques. A number of candidates wasted time with a long definition of Market Value which wasn't required. The answers provided underlined simple exam advice – read the question and then read it again. The examiners cannot award marks for irrelevant statements so it is important to keep the answer relevant and therefore only give information that has been asked for.

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PAPER II QUESTION 4

Last year your client gained planning permission to convert an old dairy building into an office. He has now completed the conversion work.

(A) Your client has marketed the property himself and found 3 possible occupiers. He likes them all and has asked you to write to him with suggestions as to the background information he could obtain to differentiate between them as potential occupiers.

(5 marks)

(B) He has also asked you to write to him listing the information he needs to send to his solicitor so that his solicitor can draft a lease for the office.

(15 marks)

No of Candidates:	89
Average Mark:	66%
No of Candidates with 65% or over:	53
Percentage of Candidates passing question:	60%
Highest Mark:	88%
Lowest Mark:	38%

Examiner's Report

Part A - This part of the question was very poorly dealt with little consideration of who the proposed tenant is, or of the risks associated with letting to each type of occupier. The options were for a letting to a private individual, company or partnership. There was little suggestion of investigations into the financial background of prospective occupiers and advice was lacking for company searches, county court judgement enquiries, historic bankruptcy records, guarantor, bank or accountancy /professional references. These are fundamental issues for the landlord and suggesting that a background check is done provides the landlord with little or no advice. The prospective occupiers reasons for leaving their existing premises, the complementary or otherwise business uses, personnel numbers, car numbers, parking requirements, times of vehicle movements, noise and smell are all to be considered as well bearing in mind that the landlord is on site and will be affected by them. Greater detail would be required by your client who was clearly asking how he could separate out prospective occupiers. The financial issues are however paramount

Part B - Candidates must cover all of the points to get all of the marks. Brief heads of terms were asked for and again this was generally poorly answered for a question asking for a list of the standard heads of terms to a commercial letting. The majority of points apply to most heads of terms for any letting and so need to be understood and addressed in the negotiation phase by the valuer. It is not sufficient to list the landlord, their solicitor, the tenant and their solicitor, the property, rent passing and a plan and expect to get full marks.

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PAPER II QUESTION 5

Your client, an owner-occupier, has decided to instruct your firm to sell her farm by private treaty. The farm comprises a farmhouse, a range of farm buildings, a grain store and 200 acres of arable land. She has confirmed that there are no other occupiers of the farm.

Please set out in bullet point format with a brief explanation:

- (A) *The details to be covered in your firm's terms of business for the sale.* (10 marks)
(B) *The information you will need to enable you to compile the particulars and an information pack for potential purchasers.* (10 marks)

No of Candidates:	97
Average Mark:	66%
No of Candidates with 65% or over:	61
Percentage of Candidates passing question:	63%
Highest Mark:	95%
Lowest Mark:	30%

Examiner's Report

This question has a simple structure which allowed candidates to outline their knowledge of agency in part (A), together with a practical knowledge of preparing particulars in part (B). The two parts of the question were equally weighted.

This was the second most popular question in the paper with 97 candidates attempting it (78.23%).

The successful candidate was, as the question requested, concise and gave short answers with relevant notes. Many candidates managed to mix up headings for each part of the question with cross-references between each part. This was most notable in those who failed to provide an initial answer plan to aid lay out and thoughts.

Marks varied widely with a 62.88% pass rate overall and with the highest mark of 19 out of 20 (95%). The average mark was 65.72% which was, in the examiner's opinion, low, given that the question was the second most popular answered.

In marking the papers, marking fell into two distinct groups. Those who appear to have rushed the questions, as perhaps the last question, and those who had prepared a plan and answered it well, possibly as an initial question given its popularity.

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PAPER II QUESTION 6

Your client has asked for advice because of a proposed scheme to construct a trunk road through his farm. The farm extends to 500 acres and includes a farm house and farm buildings. The proposed route will cut through the middle of the farm and be within 250m of the house and buildings.

In a letter:

- (A) *Outline the chronology and steps that must be taken for your client's land to be acquired under a compulsory purchase order. (8 marks)*
- (B) *Detail any measures your client can take to influence the route. (2 marks)*
- (C) *Explain the six rules for assessing compensation under the Land Compensation Act 1961 (for Scotland, the Land Compensation (Scotland) Act 1963). (6 marks)*
- (D) *Provide an outline of the heads of claim with examples of how the compensation will be calculated (no figures required). (4 marks)*

No of Candidates:	28
Average Mark:	67%
No of Candidates with 65% or over:	17
Percentage of Candidates passing question:	61%
Highest Mark:	90%
Lowest Mark:	47%

For marking purposes each question is marked out of 100 marks and a breakdown of the four parts of the question is as follows:

Part	High Mark	Low Mark	Average
A (out of 40)	37	15	24.25
B (out of 10)	10	0	5.39
C (out of 30)	30	0	20.38
D (out of 20)	20	10	16.82

Examiner's Report

Part A

The first part asked for a chronological chain of events of the steps to be taken for a compulsory purchase order for the candidates to demonstrate that they understood the compulsory purchase order process. The best set out the information in a logical, chronological order in a way that it would be clear for the client to understand, starting with initial stages of requisition for information and local consultation, through the production of draft CPO with map and statement of reasons, placement of advertisements and notices,

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through to notice to treat, notice of entry, actual entry and negotiation of compensation of acquisition. The worst candidates used some of the terminology but failed to show that they understood what it meant, the process or timescales.

Part B

The best candidates identified that there could be a formal objection to the CPO and went on to say that if the matter went to public inquiry, then they would have to provide evidence to support a change of the route. The majority of candidates showed enough knowledge of this.

Part C

This part asked the candidates to set out the six rules for assessing compensation under the Land Compensation Act 1961 and give an explanation. This was generally well answered, even by those who had struggled with parts A and B and demonstrated that the candidates had studied this area or had attended tutorials where it had been covered. As explanation was requested, simply writing the six rules was not enough to score well and it needed a line or two of explanation of each, which was well understood by most candidates and they scored well.

Part D

The final part asked for the heads of claim and how the compensation would be calculated. Again candidates had clearly studied this area and generally put forward good and comprehensive list of heads of claim. The best added a brief paragraph to show their understanding to gain the marks. Some included figures despite the question asking them not to.

The candidates were asked to answer the question in the form of a letter. Despite this there were a number who made no attempt to do so at all and some who, whilst starting a letter format, quickly abandoned it.