

## FARMS ESTATE COMMITTEE

22 February 2017

Present:

County Councillors

Councillors C Chugg (Chairman), J Berry, J Brook, A Dewhirst, R Julian, R Rowe and J Yabsley

Co-opted Members:

Mr C Latham (Tenants' Representative)

Apologies:

Mr E Quick (Devon Federation of Young Farmers Clubs)

\* 38

**Minutes**

**RESOLVED** that the minutes of the meeting held on 30 November 2017 be signed as a correct record.

39

**Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

\* 40

**Capital Monitoring 2016/17 (Month 10)**

The Committee received the Report of the County Treasurer (CT/17/12) on the County Farms Estate Month 10 Capital Monitoring 2016/17, noting that:

- the approved capital programme for 2016/17 included schemes totalling £1,671,000, which included £271,000 and £900,000 respectively for existing and additional Nitrate Vulnerable Zone compliance schemes, with the remaining £500,000 relating to additional scheme priorities for Decent Homes Standards, Energy Act and other associated infrastructure projects;
- scheme slippage of £771,000 together with land acquisition costs of £151,000 resulted in a capital programme of £2,592,000 for £2016/17;
- expenditure and commitments to date was £1,038,000 with a forecast year-end spend of £1,706,00.

\* 41

**Revenue Budget 2016/17 (Month 10)**

The Committee received the Report of the County Treasurer (CT/17/13) on the County Farms Estate Month 10 Revenue Budget Monitoring Statement 2016/17, noting the target surplus of £362,000 and detailing income and expenditure to date.

\* 42

**Management and Restructuring Issues**

The Committee considered the Report of the Head of Digital Transformation and Business Support (BSS/17/01) on County Farms Estate Management and Restructuring Issues.

The Head of Service confirmed that the Farms Estate would gift the land concerned to the County Council as part of the 2010 strategic review and that no legal fees would be incurred.

It was **MOVED** by Councillor Brook, **SECONDED** by Councillor Dewhirst and

**RESOLVED** that 0.37 hectares (0.91 acres) or thereabouts of land forming part Manor Farm, Holcombe, Dawlish and more particularly known as part OS 3761 and 3775 be declared permanently surplus to the operational requirements of the Estate so that it could be developed as part of a highway improvement scheme.

\* **43**      **Nitrate Vulnerable Zones**

The Committee noted the Report of the Head of Digital Transformation and Business Support (BSS/17/02) on the recent changes to the Nitrate Pollution Prevention Regulations and the addition and removal of areas within the zone.

\* **44**      **Exclusion of the Press and Public**

**RESOLVED** that the press and public be excluded from the meeting for the following items of business under Section 100(A)(4) of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3 of Schedule 12A of the Act, namely information relating to, and which was likely to reveal the identity of, tenants and information relating to the financial or business affairs of tenants and the County Council and, in accordance with Section 36 of the Freedom of Information Act 2000, by virtue of the fact that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

\* **45**      **Holdings and Tenancies etc.**

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded, no representations having been received to such consideration under Regulation 5(5) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.)

Mr C Latham (Tenants' Representative) declared a personal interest in this matter by virtue of being a tenant of Middle Winsham Farm, Braunton and left the meeting.

The Committee received the Report of the Head of Digital Transformation and Business Support (BSS/17/03) on Middle Winsham Farm, Braunton.

It was **MOVED** by Councillor Brook, **SECONDED** by Councillor Rowe and

**RESOLVED**

(a) that the tenant of Middle Winsham Farm, Braunton be notified that the 77.30 acres and the 46.02 acres of land forming part Middle Winsham Farm, Braunton will now not be amalgamated with the main holding before 25 March 2021;

(b) that between 25 March 2019 and 25 March 2020, the tenant of land at Middle Winsham Farm, Braunton be required to submit a business plan (supported by cashflows and budgets for the enlarged holding) prior to interview by the Committee before a decision can be made as to whether or not he be granted a second consecutive tenancy of the main holding, the 77.30 acres and the 46.02 acres of land forming part Middle Winsham Farm, Braunton and that, in the meantime, the ongoing 6 monthly new entrant monitoring process be maintained and that the tenant's accounts be considered annually;

(c) that if the process adopted in (b) above does not prove satisfactory and the tenant cannot demonstrate before 25 March 2020 that he has met the schedule of tenant's competencies and established a sufficiently successful business that will allow for the additional land to be

amalgamated to the holding at 25 March 2021, the tenant be notified that no further tenancy will be granted and that possession of the holding will be required at 25 March 2021 to enable it to be relet;

(d) that, in the meantime, the 77.30 acres and the 46.02 acres of land forming part Middle Winsham Farm, Braunton be temporarily let to the tenant of Chapel Farm, Marwood for the term 25 March 2017 to 25 March 2018, subject to terms being agreed, and for the period 25 March 2018 to 25 March 2021 the 77.30 acres and the 46.02 acres of land forming part Middle Winsham Farm, Braunton be advertised to let in internal competition between the tenants of Chapel Farm, Marwood and prospective tenants of Prixford Barton Farm, Marwood, subject to terms being agreed.

**\*DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 2.15 pm and finished at 2.46 pm

1. *The Minutes of this Committee are published on the County Council's Website.*
2. *These Minutes should be read in association with any Reports or documents referred to therein, for a complete record.*
3. *Members of the Council have been granted a dispensation to allow them to speak and vote in any debate as a consequence of being a representative of the County Council on any County Council wholly owned, controlled or joint local authority company or Joint Venture Partnership unless the matter under consideration relates to any personal remuneration or involvement therein.*