

FARMS ESTATE COMMITTEE

11 December 2017

Present:-

County Councillors:

Councillors C Chugg (Chair), J Brook, J Berry, A Dewhirst, C Whitton and J Yabsley

Co-opted Members:

C Latham (Tenants' Representative)

Attending in accordance with Standing Order 25

Councillors A Saywell and R Hosking

* 19

Minutes

RESOLVED that the minutes of the meetings held on 18 September 2017 and 16 October 2017 be signed as correct records.

* 20

Items Requiring Urgent Attention

Bicton and Duchy College – Level 4 Apprenticeship Farm Business Planning Programme

The County Farms Estate would be resurrecting its close links and working with the Bicton and Duchy Colleges to support their Level 4 Apprenticeship Farm Business Planning Programme where a mock 'viewing day' was planned to take place at North Ground Farm, Chillaton, by kind permission of the current tenant.

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

RESOLVED that a cup or trophy and a £250 prize fund be made available to the Level 4 apprentice with the best farm business plan and presentation.

* 21

Chair's Announcements

(a) **Standards Committee**

Mrs Saltmarsh attended the meeting in her capacity as a Co-opted Member of the Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework.

(b) **Farmwise Devon**

The Chair requested that Surfers Against Sewage be invited to participate in the 2018 Farmwise event to promote the Plastic Free Coastline Campaign and the reduction in use of single-use plastic products.

* 22

Revenue Monitoring (Month 7) 2017/18

The Committee received the Report of the County Treasurer (CT/17/104) on the County Farms Estate Month 7 Revenue Monitoring Statement for 2017/18, noting the target surplus of £382,000 and detailing income and expenditure to date.

* **23** **Capital Monitoring (Month 7) 2017/18**

The Committee received the Report of the County Treasurer (CT/17/105) on the County Farms Estate Month 7 Capital Monitoring Statement for 2017/18, noting that the approved capital programme for 2017/18 included schemes totalling £600,000 and with scheme slippage of £1,483,554 resulted in a capital programme for 2017/18 of £2,083,554.

Members noted that the Enhancements and Improvements budget was committed and expected to be spent by year end but £518,774 of slurry store construction funds were forecast to slip into 2018/19.

* **24** **Shallowford Farm - Transforming Lives on the Farm**

Mr W Dracup from the Shallowford Trust attended and gave a presentation on Shallowford Farm, which was a high moorland Dartmoor farm of approximately 5 acres near Widecombe-in-the-Moor. The Shallowford Trust was strongly connected with a youth and community centre in Battersea, London called Providence House, where young people of all ages and backgrounds travel to Shallowford Farm in Devon to experience a different way of life - from night walking on the Moor to helping with jobs on the farm and learning about country life. Looking ahead, Shallowford Trust was looking to help others closer to home.

The Shallowford Trust's website could be found at: <http://shallowfordfarm.co.uk/>.

* **25** **Fresh Start Land Enterprise Centre**

The Committee received the Report of the Head of Digital Transformation and Business Support (BSS/17/16) on the Fresh Start Land Enterprise Community Interest Company which had brought together a number of national projects and initiatives aimed at supporting farming businesses from start-up through to succession. Fresh Start was supported by a number of organisations, including The Prince's Trust Countryside Fund and NFU Mutual.

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

RESOLVED

(a) that support for development by the Estates Land Agents, working with Alison Rickett, Managing Director of Fresh Start Land Enterprise Centre, of a Fresh Start Academy and an individual mentoring scheme, open to all County Farms Estate tenants be approved; and

(b) that funding from the County Farms Estate revenue budget for sponsorship of the cost of running the Fresh Start Academy up to a cap of £5,000 per annum with the intent that attendance by County Farms Estate tenants should be free or substantially subsidised be approved.

* **26** **Management and Restructuring Issues**

(Mr C Latham declared a disclosable pecuniary interest in this item at paragraph (b), The Marwood Estate, by virtue of being the tenant of land or property affected and withdrew from the meeting during its consideration.)

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

(a) **Baxters Farm, Musbury**

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

RESOLVED

- (i) that the farmhouse, buildings and 2.45 acres or thereabouts of land at Baxters Farm, Musbury be declared permanently surplus to the operational requirements of the Estate and sold; and
- (ii) that the 68.81 acres or thereabouts of land at Baxters Farm be offered to the tenant of Waterford Farm on a fixed term Farm Business Tenancy Agreement commencing 25 March 2018 and terminating 25 March 2022, subject to terms being agreed.

(b) **The Marwood Estate**

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

RESOLVED

- (i) that acceptance of the tenant's early surrender of Chapel Farm, Marwood, effective at 25 March 2018, be endorsed;
- (ii) that the reletting of the bungalow, buildings and up to 268.23 acres (in lots) or thereabouts of land at Chapel Farm, Marwood as an equipped residential dairy holding
 - (1) firstly, in internal competition as a progression opportunity for existing estate tenants on a Farm Business Tenancy commencing 25 March 2018 and expiring 25 March 2033 or an earlier term date affording the successful applicant a maximum 25 years on the Estate, subject to terms being agreed or, if not let internally, then
 - (2) secondly, to advertise the holding on the open market to new entrants and on a Farm Business Tenancy commencing 25 March 2018 and expiring 25 March 2025, subject to terms being agreed, be approved.
- (iii) that landlord's consent be approved in principle for the prospective tenants of Chapel Farm, Marwood, to install a new herringbone milking parlour and potential dairy and all associated services, plant and equipment in the landlord's new building, subject to:
 - (1) the physical/structure works to construct the parlour pit, cow standings, walls, ceilings and drains, and the dairy having a life expectancy of 25 years and thus the value of this part of the improvement will be written down on a straight line basis from the approved cost of making the improvement (the lowest of three competitive quotes) to £100 over a 25 year term;
 - (2) the tubular steel work for the parlour, the plant and equipment, services and in-parlour feeders having a life expectancy of 10 years and thus the value of this part of the improvements will be written down on a straight line basis from the approved cost of making the improvement (the lowest of three competitive quotes) to £100 over a 10 year term;
 - (3) should the tenant be required to replace any significant items of worn out plant and equipment such as compressors, milk pumps, plate coolers etc. during the residual term of the tenancy then the cost of any such replacement will be written down on a straight line basis over a period of 10 year commencing on the date the replacement is made and added to the compensation value of the remainder of the original parlour and dairy referred to in paragraph 2 above;
- (iv) that the reletting of the bungalow, buildings and 94.10 acres or thereabouts of land at Prixford Barton Farm, Marwood as an equipped residential mixed livestock holding (expressly excluding the use of the holding as a dairy unit) on the open

market to new entrants and on a Farm Business Tenancy commencing 25 March 2018 (or as soon as possible thereafter) and expiring 25 March 2025, subject to terms being agreed, be approved; and

- (v) that the 123.99 acres or thereabouts of land forming part Middle Winsham Farm, Braunton be temporarily offered to let to the prospective tenants of Chapel Farm and/or Prieford Barton Farm, Marwood for the term 25 March 2018 to 25 March 2021, subject to terms being agreed, be approved.

* **27** **The County Farms Estate - Business start-up opportunities**

The Committee received the Report of the Head of Digital Transformation and Business Support (BSS/17/18) on the Potential for Wider Rural Business Start-up Opportunities, which followed the recommendations of the Farms Estate Strategic Review Report (March 2010) which stated, '*That the Authority should recognise the multi-functionality benefits of the Estate and acknowledge the social, economic and environmental value of the farms*'.

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

RESOLVED

(a) that, wherever feasible and viable, consideration be given to offering surplus or potentially surplus in hand buildings to let for wider rural business start-up opportunities on a subject to contract and planning basis; and

(b) that existing tenants be encouraged to consider offering, with landlord's conditional consent, surplus or potentially surplus in hand buildings as sublets for wider rural business start-up opportunities on a subject to contract and planning basis.

* **28** **Actions taken under Delegated Powers**

The Committee noted the action taken by the Head of Digital Transformation and Business Support, in accordance with Part 3 of the County Council's Constitution, in approving the acceptance of the tenant's agreement to surrender the tenancy of Baxters Farm, Musbury.

* **29** **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.

* **30** **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).

(a) The Committee received the Report of the Head of Digital Transformation and Business Support (BSS/17/19) on the monitoring of tenants on an initial Farm Business Tenancy.

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

RESOLVED

(i) that letters be sent to the tenants of Merrifield Farm, Holsworthy and Little Stone Farm, South Molton recording the current and satisfactory level of competency attained to date; and

(ji) that the tenant of Middle Winsham Farm, Braunton be notified that he will not be granted a further tenancy and that possession of the holding will be required at the end of the current tenancy term of 25 March 2021 to enable the farm to be relet.

(b) The Committee received the Report of the Head of Digital Transformation and Business Support (BSS/17/20) on requests for landlord's consent to proposed tenant's improvements.

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

RESOLVED that landlord's consent be granted for the tenant to demolish and remove the landlord's concrete block and ACM roof parlour, dairy and calving boxes to form an open yard for cattle; to demolish a redundant landlord's kennel building and replace it with a 60' x 30' or thereabouts and 21' to eaves galvanised steel portal framed general purpose building; and construct another 60 x 25' or thereabouts and 18' to eaves galvanised steel portal framed general purpose building tenant's improvement at Higher Leigh Farm, Churchstow subject to the improvements being written down in value to £100 on a straight line basis over a life expectancy of 25 years.

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

The Meeting started at 2.15 pm and finished at 3.45 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.*