

## FARMS ESTATE COMMITTEE

3 December 2018

Present:-

County Councillors

Councillors R Edgell (Chair), J Brook, J Berry, A Dewhurst, T Inch, C Whitton and J Yabsley

Co-opted Members:-

Mrs L Warner (Tenants' representative)

\* 66

### **Minutes**

**RESOLVED** that the minutes of the meetings held on 3 September 2018, 19 November 2018 and 20 November 2018 be signed as correct records.

\* 67

### **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

\* 68

### **Revenue Monitoring (Month 7) 2018/19**

The Committee received the Report of the County Treasurer (CT/18/100) on the County Farms Estate Revenue Monitoring (Month 7) 2018/19, noting the target surplus of £414,000 and providing a summary of the annual budget and detailing income and expenditure to date.

The County Treasurer clarified that at paragraph 1.3 of the Report it should read that *'£526,000 of the predicted £1,102,000 income has been invoiced of which £390,000 was collected...'*

It was highlighted that advertising costs would be higher by year end due to the larger than normal volume of farms being advertised to let, however, such costs would be partly mitigated by the use of social media.

\* 69

### **Capital Monitoring (Month 7) 2018/19**

The Committee received the Report of the County Treasurer (CT/18/101) on the County Farms Estate Month 7 Capital Monitoring Statement for 2018/19, noting that the approved capital programme for 2018/19 included schemes totalling £600,000 and with scheme slippage of £1,068,360 and the unallocated savings of £236,595 resulted in a capital programme for 2018/19 of £1,904,955.

It was noted that save for £484,876 of Nitrate Vulnerable Zone budget slippage the budget was forecast to be spent by year end.

\* 70

### **Management and Restructuring Issues**

The Committee considered the Report of the Head of Digital Transformation and Business Support (BSS/18/12) on County Farms Estate Management and Restructuring issues.

The Report at paragraph 1.0 referred in the heading to Part East Week Farm II, South Tawton whereas it should have referred to Part East Week Farm I, South Tawton.

The Committee requested that details be included in the County Farms Estate Annual Report 2018/19 of the letting of land to Airband Community Internet Ltd at less than market value (the

Council was a stakeholder in the Connecting Devon and Somerset Broadband Programme) as referred to in (d) and (e) below.

The Committee wished to put on record that, in making the resolutions at (f) and (g) below, the Estate was providing valuable land enabling a vital educational infrastructure improvement, without the need for site purchase, and delivering substantial capital receipts. At the same time however, the overall size of the Estate was being further reduced and Members felt that some of the capital receipts generated should be reinvested in replacement land or farms to ensure the long-term viability of the Estate.

(a) **Part East Week Farm I, South Tawton**

It was **MOVED** by Councillor Brook **SECONDED** by Councillor Berry and

**RESOLVED** that the 11.83 acres or thereabouts of land at part East Week Farm II, South Tawton and more particularly known as OS 8375, 8300 and 9300 be advertised to let in internal competition between the tenants of Lower East Week Farm, South Tawton; Smithscross Farm, Drewsteignton; Higher Fingle Farm, Drewsteignton; and East Fingle Farm, Drewsteignton on a three-year Farm Business Tenancy commencing 25 March 2020 and expiring 25 March 2023, subject to terms being agreed.

(b) **Part Greenhills Farm, West Anstey**

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

**RESOLVED** that the current tenant be offered a further short-term Farm Business Tenancy Agreement of the 19.87 acres or thereabouts of land forming part Greenhills Farm, West Anstey and more particularly described as OS 2327, 3226, 4623 and 3009 for a term commencing 25 March 2020 and expiring 25 March 2023, subject to terms being agreed.

(c) **Southacott Farm, Mariansleigh**

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

**RESOLVED**

- (i) that vacant possession of Southacott Farm, Mariansleigh be secured on 25 March 2020; and
- (ii) that the reletting of the farmhouse, buildings and 216.67 acres or thereabouts of land at Southacott Farm, Mariansleigh as an equipped residential progression dairy farm in internal competition between existing tenants of the Estate and on a Farm Business Tenancy commencing 25 March 2020 and expiring 25 March 2035, subject to terms being agreed, be endorsed.

(d) **Higher Bradaford Farm, Virginstow**

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

**RESOLVED**

- (i) that vacant possession of Higher Bradaford Farm, Virginstow be secured on 25 March 2020;
- (ii) that the reletting of the farmhouse, buildings and 137.04 acres or thereabouts of land at Higher Bradaford Farm, Virginstow as an equipped residential starter dairy farm on the open market and on a Farm Business Tenancy commencing 25 March 2020 and expiring 25 March 2027, subject to terms being agreed, be endorsed; and

- (iii) that 4m<sup>2</sup> or thereabouts of land at Higher Bradaford Farm, Virginstow (part NG 5757) be let on a Digital Economy Act 2017, Electronic Communications Code Lease to Airband Community Internet Ltd for a term of 10 years, subject to terms being agreed.

(e) **Land at Furze Cottages Farm, Ashreigney**

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

**RESOLVED** that 4m<sup>2</sup> or thereabouts of land at Furze Cottages Farm, Ashreigney (part NG 6418) be let on a Digital Economy Act 2017, Electronic Communications Code Lease to Airband Community Internet Ltd for a term of 10 years, subject to terms being agreed.

(f) **Thorne Farm, Ottery St Mary**

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

**RESOLVED** that Thorne Farm, Ottery St Mary be declared permanently surplus to the operational requirements of the Estate and:

- (i) that part of the site be transferred to the Dioceses of Exeter for the provision of a new primary school to replace the one at Tipton St John and afford additional capacity for the expanding town of Ottery St Mary, subject to planning and terms being agreed; and
- (ii) that part of the site be sold on the open market for residential development to raise essential capital required to finance the construction of the new primary school referred to in (i) above, subject to planning and terms being agreed.

(g) **Land at Aldens Farm, Alphington**

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

**RESOLVED** that the 25.91 acres or thereabouts of land at Aldens Farm, Alphington be declared permanently surplus to the operational requirements of the Estate and sold.

(h) **Part Middle Winsham Farm, Braunton**

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

**RESOLVED** that following the open market letting campaign for the 123.79 acres or thereabouts of land at Middle Winsham Farm, Braunton, the land be let to Mr AS on a fixed term Farm Business Tenancy Agreement commencing 25 June 2018 and terminating 25 March 2021, subject to the terms and conditions agreed.

\* **71      The Agriculture Bill and Policy Statement**

The Committee noted the Report of the Head of Digital Transformation and Business Support (BSS/18/13) on the Agriculture Bill and Policy Statement, which clearly recognised and valued the importance of encouraging and supporting new entrants into the farming sector.

Members welcomed the help proposed by DEFRA in the Policy Statement for Local Authorities who wanted to invest in their Council Farms.

\* **72      DEFRA Clean Air Strategy 2018**

The Committee noted the Report of the Head of Digital Transformation and Business Support (BSS/18/11) on the DEFRA Clean Air Strategy 2018.

The draft Clean Air Strategy outlined ambitions relating to reducing air pollution, making air healthier to breathe, protecting nature and boosting the economy, and set out a clear direction for future air quality policies and goals.

DEFRA consulted on the policy earlier this year and feedback therefrom would help inform the final UK Clean Air Strategy and detailed National Air Pollution Control Programme to be published by March 2019.

Members requested that the land agents ensure tenants are signposted to the specific guidance, advice, training and funding referred to in paragraphs 2.6 and 2.7 of the Report.

\* 73

### **Exclusion of the Press and Public**

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

**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.

\* 74

### **Capital Monitoring and Management and Restructuring**

*(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded.)*

The Committee discussed and received updates from Officers on Procurement of Contracts; Capital Programme Scheme slippage; and end of tenancy matters relating to two of the farms considered under Minute \*70 above.

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

The Meeting started at 2.15 pm and finished at 4.02 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.