

Phil Norrey
Chief Executive

To: The Chair and Members of the
Farms Estate Committee

County Hall
Topsham Road
Exeter
Devon
EX2 4QD

(See below)

Your ref :
Our ref :

Date : 23 November 2018
Please ask for : Wendy Simpson, 01392 384383

Email: wendy.simpson@devon.gov.uk

FARMS ESTATE COMMITTEE

Monday, 3rd December, 2018

A meeting of the Farms Estate Committee is to be held on the above date at 2.15 pm in the Committee Suite - County Hall to consider the following matters.

P NORREY
Chief Executive

A G E N D A

PART I - OPEN COMMITTEE

1 Apologies for Absence

2 Minutes

Minutes of the meetings held on 3 September 2018, 19 November 2018 and 20 November 2018 (previously circulated).

3 Items Requiring Urgent Attention

Items which in the opinion of the Chairman should be considered at the meeting as matters of urgency.

MATTERS FOR DECISION

4 Revenue Monitoring (Month 7) 2018/19 (Pages 1 - 6)

Report of the County Treasurer (CT/18/100) on the County Farms Estate Revenue Monitoring Statement (Month 7) 2018/19, attached.

Electoral Divisions(s): All Divisions

5 Capital Monitoring (Month 7) 2018/19 (Pages 7 - 8)

Report of the County Treasurer (CT/18/101) on the County Farms Estate Capital Monitoring (Month 7) 2018/19, attached.

Electoral Divisions(s): All Divisions

6 Management and Restructuring Issues (Pages 9 - 16)

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

*Electoral Divisions(s): Alphington & Cowick;
Braunton Rural; Hatherleigh & Chagford;
Holsworthy Rural; Otter Valley; South
Molton; Torrington Rural*

7 The Agriculture Bill and Policy Statement (Pages 17 - 22)

Report of the Head of Digital Transformation and Business Support (BSS/18/13) on the Agriculture Bill and Policy Statement, attached.

Electoral Divisions(s): All Divisions

8 DEFRA Clean Air Strategy 2018 (Pages 23 - 26)

Report of the Head of Digital Transformation and Business Support (BSS/18/11) on DEFRA's Clean Air Strategy 2018, attached.

Electoral Divisions(s): All Divisions


PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF PRESS AND PUBLIC

Nil

Notice of all items listed above has been included in the Council's/Cabinet Forward Plan for the required period, unless otherwise indicated. The Forward Plan is published on the County Council's website.

Members are reminded that Part II Reports contain exempt information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s).

Members are also reminded of the need to dispose of such reports carefully and are therefore invited to return them to the Democratic Services Officer at the conclusion of the meeting for disposal.

<p>Membership</p> <p>Councillors R Edgell (Chair), J Brook, J Berry, A Dewhirst, T Inch, C Whitton and J Yabsley</p> <p><u>Co-opted Members</u> E Quick (Devon Federation of Young Farmers Clubs) and L Warner (Tenants' representative)</p>
<p>Declaration of Interests</p> <p>Members are reminded that they must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item. 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.</p>
<p>Access to Information</p> <p>Any person wishing to inspect the Council's / Cabinets Forward Plan or any minutes, reports or lists of background papers relating to any item on this agenda should contact Wendy Simpson, 01392 384383</p> <p>Both the Forward Plan and agenda and minutes of the Committee are published on the Council's Website and can also be accessed via the Modern.Gov app, available from the usual stores.</p>
<p>Webcasting, Recording or Reporting of Meetings and Proceedings</p> <p>The proceedings of this meeting may be recorded for broadcasting live on the internet via the 'Democracy Centre' on the County Council's website. The whole of the meeting may be broadcast apart from any confidential items which may need to be considered in the absence of the press and public. For more information go to: http://www.devoncc.public-i.tv/core/</p> <p>In addition, anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chair. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chair or the Democratic Services Officer in attendance so that all those present may be made aware that is happening.</p> <p>Members of the public may also use Facebook and Twitter or other forms of social media to report on proceedings at this meeting. An open, publicly available Wi-Fi network (i.e. DCC) is normally available for meetings held in the Committee Suite at County Hall. For information on Wi-Fi availability at other locations, please contact the Officer identified above.</p>
<p>Emergencies</p> <p>In the event of the fire alarm sounding leave the building immediately by the nearest available exit, following the fire exit signs. If doors fail to unlock press the Green break glass next to the door. Do not stop to collect personal belongings, do not use the lifts, do not re-enter the building until told to do so.</p>
<p>Mobile Phones</p> <p>Please switch off all mobile phones before entering the Committee Room or Council Chamber</p>
<p>If you need a copy of this Agenda and/or a Report in another format (e.g. large print, audio tape, Braille or other languages), please contact the Information Centre on 01392 380101 or email to: centre@devon.gov.uk or write to the Democratic and Scrutiny Secretariat at County Hall, Exeter, EX2 4QD.</p>
<div>  <p>Induction loop system available</p> </div>

NOTES FOR VISITORS

All visitors to County Hall, including visitors to the Committee Suite and the Coaver Club conference and meeting rooms are requested to report to Main Reception on arrival. If visitors have any specific requirements or needs they should contact County Hall reception on 01392 382504 beforehand. Further information about how to get here can be found at: <https://new.devon.gov.uk/help/visiting-county-hall/>. Please note that visitor car parking on campus is limited and space cannot be guaranteed. Where possible, we encourage visitors to travel to County Hall by other means.

SatNav – Postcode EX2 4QD

Walking and Cycling Facilities

County Hall is a pleasant twenty minute walk from Exeter City Centre. Exeter is also one of six National Cycle demonstration towns and has an excellent network of dedicated cycle routes – a map can be found at: <https://new.devon.gov.uk/travel/cycle/>. Cycle stands are outside County Hall Main Reception and Lucombe House

Access to County Hall and Public Transport Links

Bus Services K, J, T and S operate from the High Street to County Hall (Topsham Road). To return to the High Street use Services K, J, T and R. Local Services to and from Dawlish, Teignmouth, Newton Abbot, Exmouth, Plymouth and Torbay all stop in Barrack Road which is a 5 minute walk from County Hall. Park and Ride Services operate from Sowton, Marsh Barton and Honiton Road with bus services direct to the High Street.

The nearest mainline railway stations are Exeter Central (5 minutes from the High Street) and St David's and St Thomas's both of which have regular bus services to the High Street. Bus Service H (which runs from St David's Station to the High Street) continues and stops in Wonford Road (at the top of Matford Lane shown on the map) a 2/3 minute walk from County Hall, en route to the RD&E Hospital (approximately a 10 minutes walk from County Hall, through Gras Lawn on Barrack Road).

Car Sharing

Carsharing allows people to benefit from the convenience of the car, whilst alleviating the associated problems of congestion and pollution. For more information see: <https://liftshare.com/uk/community/devon>.

Car Parking and Security

There is a pay and display car park, exclusively for the use of visitors, entered via Topsham Road. Current charges are: Up to 30 minutes – free; 1 hour - £1.10; 2 hours - £2.20; 4 hours - £4.40; 8 hours - £7. Please note that County Hall reception staff are not able to provide change for the parking meters.

As indicated above, parking cannot be guaranteed and visitors should allow themselves enough time to find alternative parking if necessary. Public car parking can be found at the Cathedral Quay or Magdalen Road Car Parks (approx. 20 minutes walk). There are two disabled parking bays within the visitor car park. Additional disabled parking bays are available in the staff car park. These can be accessed via the intercom at the entrance barrier to the staff car park.



Fire/Emergency Instructions

In the event of a fire or other emergency please note the following instructions. If you discover a fire, immediately inform the nearest member of staff and/or operate the nearest fire alarm. On hearing a fire alarm leave the building by the nearest available exit. The County Hall Stewardesses will help direct you. Do not stop to collect personal belongings and do not use the lifts. Assemble either on the cobbled car parking area adjacent to the administrative buildings or in the car park behind Bellair, as shown on the site map above. Please remain at the assembly point until you receive further instructions. Do not re-enter the building without being told to do so.

First Aid

Contact Main Reception (extension 2504) for a trained first aider.

The County Farms Estate

Revenue Monitoring (Month 7) 2018/19

Report of the County Treasurer

1 Revenue Monitoring (Month 7) 2018/19

- 1.1 The Revenue Budget presented to Corporate Service Scrutiny Committee on 31 January 2018 included a target surplus of £414,000 for the County Farms Estate, in accordance with the targets set by Cabinet at its meeting on 10 January 2018.
- 1.2 Appendix A provides a summary of the annual budget. It also provides details of income and expenditure to date.
- 1.3 £526,000 of the predicted £1,102,000 income was collected in arrears at the end of month 6 with, the majority of the balance to be collected at the end of month 12.
- 1.4 As at month 7 there is minimal actual expenditure to report.
- 1.5 Two large Tenant Right Valuation accruals have been released reducing the accrued liability to £57,000. There are at least four large TRV liabilities falling due at 25 March 2019 which the revenue budget may have to accommodate. Savings may be required in other budget lines in order to meet this statutory liability.
- 1.6 £40,000 worth of unforeseen repair works have been ordered and paid in 2018. In addition, a further £17,000 of unforeseen works have been ordered but not invoiced. Total unforeseen expenditure and commitment at month 7 is therefore £57,000.
- 1.7 The revenue funded maintenance programme has been set and the £210,000 budget fully allocated to proposed works based on initial cost estimates provided for each scheme. A £15,000 accrual from last financial year for works substantially complete but not invoiced by year end will be paid shortly. £65,000 worth of new works have been ordered but invoices have not yet been received.
- 1.8 The revenue funded building maintenance other programme has been set and the £61,000 budget fully allocated to proposed redundant building, health and safety or asbestos removal works based on initial cost estimates provided for each scheme.

Agenda Item 4

- 1.9 Approximately £6,000 worth of testing and inspection works (service term contract budget) have been paid at month 7 and a further £11,000 worth of works ordered.
- 1.10 Advertising costs will be higher by year end due to the larger than normal volume of farms being advertised to let. The cost of advertising has however been partly mitigated by the use of social media instead of more expensive journals.
- 1.11 The NPS fees include the management of the Estate, co-ordinating and running Farmwise at the County Show and the October event, and procuring all programme and unforeseen maintenance, service term contracts, asbestos, health and safety and redundant building works.
- 1.12 It is currently anticipated that the forecast level of income and expenditure will be achieved and the target surplus delivered, albeit there may well be some fluctuations within income and expenditure items.

2 **Options/Alternatives**

- 2.1 Alternative options have been considered and discounted as they are believed to either be contrary to current Estate policy and/or not in the best financial interests of the Estate.

3 **Consultations/Representations/Technical Data**

- 3.1 The views and opinions of the Devon Federation of Young Farmers Clubs and the Estate Tenants Association will be presented by the two co-opted members to the committee.
- 3.2 No other parties have been consulted and no other representations for or against the proposal have been received.
- 3.3 The technical data is believed to be true and accurate.

4 **Considerations**

- 4.1 The Author is not aware of any financial, sustainability, carbon impact, equality, legal, risk management or public health issues arising from this report.

5 **Summary/Conclusions/Reasons for Recommendations**

- 5.1 The Author has prepared this report in accordance with the findings of the County Farms Estate Strategic Review (April 2010).

Mary Davis – County Treasurer

Electoral Divisions: ALL

Local Government Act 1972: List of Background Papers

None

Who to contact for enquiries:

Name: Dan Meek, Director of Property Management, NPS South West Ltd,
Venture House, One Capital Court, Bittern Road, Sowton Industrial Estate, Exeter,
EX2 7FW

Contact: 01392 351066 or dan.meek@nps.co.uk

Name: Lisa Beynon, Head Accountant for Corporate Services, County Treasurer's,
County Hall, Exeter

Contact: 01392 382876 or lisa.beynon@devon.gov.uk

Agenda Item 4

COUNTY FARMS ESTATE - FINANCIAL REPORTS FINANCIAL STATEMENT - (MONTH 7) 2018/19

	YEAR TO DATE EXPENDITURE	ANNUAL TARGET	RESTATED PREVIOUS FORECAST	CURRENT FORECAST
<u>INCOME</u>	£'000	£'000	£'000	£'000
Rent	(502)	(1,074)	(1,074)	(1,062)
Other	(24)	(40)	(40)	(40)
TOTAL INCOME	<u>(526)</u>	<u>(1,114)</u>	<u>(1,114)</u>	<u>(1,102)</u>
<u>EXPENDITURE</u>				
<u>STATUTORY COSTS</u>				
Tenant Right Valuation	<u>(57)</u>	<u>20</u>	<u>20</u>	<u>20</u>
SUB - TOTAL	<u>(57)</u>	<u>20</u>	<u>20</u>	<u>20</u>
<u>PREMISES COSTS</u>				
Building Maintenance - Unforseen	40	100	100	100
Building Maintenance - Programmed	(15)	210	210	210
Building Maintenance - Surveys	0	10	10	10
Building Maintenance - STC	6	20	20	20
Building Maintenance - Other (incl. Land Agents Initiatives, Redundant Buildings, Asbestos and Health & Safety)	2	61	61	44
Grounds Maintenance	0	10	10	10
Rents & Other Landlord Charges	0	14	14	14
Rates, Electricity and Water Charges	<u>1</u>	<u>6</u>	<u>6</u>	<u>6</u>
SUB - TOTAL	<u>34</u>	<u>431</u>	<u>431</u>	<u>414</u>
<u>SUPPLIES & SERVICES</u>				
Insurance	0	0	0	0
Adverts	5	2	2	7
NPS Fees	126	230	230	230
Legal Fees	0	4	4	4
Professional Fees	(11)	6	6	6
Other Fees & Charges (DFYF, SHLAA, GPDO)	<u>1</u>	<u>7</u>	<u>7</u>	<u>7</u>
SUB - TOTAL	<u>121</u>	<u>249</u>	<u>249</u>	<u>254</u>
TOTAL EXPENDITURE	<u>98</u>	<u>700</u>	<u>700</u>	<u>688</u>
NET OPERATIONAL (SURPLUS)	(428)	(414)	(414)	(414)
FARM IMPROVEMENTS inclusive of fees				
Revenue funded Restructuring (BM other)	0	0	0	0
SUB - TOTAL	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL COSTS SURPLUS	(428)	(414)	(414)	(414)

The County Farms Estate

Capital Monitoring (Month 7) 2018/19

Report of the County Treasurer

1 Capital Monitoring (Month 7) 2018/19

- 1.1 The Capital programme presented to Corporate Services Scrutiny Committee on 31st January 2018 (and subsequently approved by County Council) included schemes totalling £600,000.
- 1.2 Added to this was slippage of £1,068,360 and the unallocated savings of £236,595 taking the total capital scheme for 2018/19 to £1,904,955.

2. Nitrate Vulnerable Zone Compliance

- 2.1 Currently one butyl lined lagoon has been completed and one new concrete box slurry store still has a budget provision.
- 2.2 Actual spend on NVZ compliant schemes for 2018/19 stands at £99,274 with a further £15,495 committed. Forecast spend at year end stands at £114,769 with £484,876 slippage to 2019/20.

3. Compensation Payments (Tenants Improvements, etc..)

- 3.1 Forecast spend currently stands at nil but this excludes four potential liabilities that will fall due at 25 March 2019. The cost of the end of tenancy liability is still being negotiated.

4 Enhancements and Improvements

- 4.1 Actual spend to date stands at £580,722 and a further £373,597 is committed. Total amount of capital spent or committed is therefore £954,319. Additional schemes are in the design and tender stage with works programmed to complete before 31 March 2019.
- 4.2 At this stage of the year forecasts suggest spend will come in on budget.

5 Land Acquisitions

- 5.1 Currently no potential land purchases have been identified.

Agenda Item 5

6 **Options/Alternatives**

- 6.1 Alternative options have been considered and discounted as they are neither practical nor in the financial best interests of the Authority.

7 **Consultations/Representations/Technical Data**

- 7.1 The views and opinions of the Devon Federation of Young Farmers Clubs and the Estate Tenants Association will be presented by the two co-opted members to the committee.
- 7.2 No other parties have been consulted and no other representations for or against the proposal have been received.
- 7.3 The technical data is believed to be true and accurate.

8 **Considerations**

- 8.1 The Author is not aware of any financial, sustainability, carbon impact, equality, legal, risk management or public health issues arising from this report.

9 **Summary/Conclusions/Reasons for Recommendations**

- 9.1 The Author has prepared this report in accordance with the Councils capital funding procedures and guidelines.

Mary Davis – County Treasurer

Electoral Divisions: ALL

Local Government Act 1972: List of Background Papers

None

Who to contact for enquiries:

Name: Dan Meek, Director of Property Management, NPS South West Ltd, Venture House, One Capital Court, Bittern Road, Sowton Industrial Estate, Exeter, EX2 7FW

Contact: 01392 351066 or dan.meek@nps.co.uk

Name: Lisa Beynon, Head Accountant for Corporate Services, County Treasurer's, County Hall, Exeter

Contact: 01392 382876 or lisa.beynon@devon.gov.uk

The County Farms Estate Management and Restructuring

Report of the Head of Digital Transformation and Business Support

Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.

Recommendation(s):

That the Committee approves the recommendations as set out in the opening paragraph of section 1, 2, 3, 4, 5, 6, 7 and 8 of this report.

1.0 Part East Week Farm II, South Tawton

It is recommended that the 11.83 acres or thereabouts of land at part East Week Farm 2, 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.

1.1 The South Tawton Estate comprises:

- (i) East Week Farm I – 2.74 hectares (6.76 acres)
- (ii) Part East Week Farm I – 24.95 hectares (61.65 acres)
- (iii) Part East Week Farm I – 11.58 hectares (28.61 acres)
- (iv) Part East Week Farm II – 4.79 hectares (11.83 acres)
- (v) Lower East Week Farm – 30.30 hectares (74.88 acres)

Total – 74.36 hectares (183.73 acres)

1.2 In relation to part East Week Farm II, members resolved at the County Farms Estate Committee meeting of 19 February 2016, minute ref. FE/100(c):

‘that the 11.83 acres or thereabouts of land at part East Week Farm 2, 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; East Week Farm 1, South Tawton; Smithscross Farm, Drewsteignton; Higher Fingle Farm, Drewsteignton and East Fingle Farm, Drewsteignton on a three year Farm Business Tenancy commencing 25 March 2017, subject to terms being agreed.’

Agenda Item 6

- 1.3 The Committee resolution referred to above was subsequently actioned.
- 1.4 The current approved Farm Business Tenancy will expire 25 March 2020 and thus a new resolution is required for its future management, occupation and use thereafter.

2.0 Part Greenhills Farm, West Anstey

- (i) It is recommended 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.

The West Anstey Estate comprises:

Part Greenhills Farm	8.04 hectares (19.87 acres)
Total	8.04 hectares (19.87 acres)

- 2.1 At the County Farms Estate Committee meeting of 16 July 2015, members resolved under minute ref: FE/82:

'that the current tenant be offered a further short term Farm Business Tenancy 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 on 29 September 2016 and expiring on 25 March 2020, subject to terms being agreed';

- 2.2 The Committee resolution referred to above was subsequently actioned.
- 2.3 The current approved Farm Business Tenancy will expire 25 March 2020 and thus a new resolution is required for its future management, occupation and use thereafter.
- 2.4 Part Greenhills Farm is isolated. The nearest County Farm to this retained land is Nutcombe Farm, Rose Ash, some 7 miles or thereabouts distance by road.
- 2.5 The retained 19.87 acres of land is being held by the Estate pending some long term development potential.
- 2.6 While that development potential exists, the land does need to be occupied and managed. Accordingly it is recommended that the current tenant and good custodian be offered, on a subject to contract basis, a further short term Farm Business Tenancy of it.

3 Southacott Farm, Mariansleigh

It is recommended that:

- (i) Vacant possession of Southacott Farm, Mariansleigh be secured at 25 March 2020.
- (ii) The Committee approves 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.

3.1 The Mariansleigh Estate comprises:

Southacott Farm	87.68 hectares (216.67 acres)
Lower Uppacott Farm	34.58 hectares (85.45 acres)
Total	122.26 hectares (302.12 acres)

3.2 Southacott Farm is currently occupied on a Farm Business Tenancy expiring 25 March 2020.

3.3 By 25 March 2020 the current tenant of Southacott Farm will have been on the County Farms Estate for the maximum term of 25 years permitted under current policy.

4.0 Higher Bradaford Farm, Virginstow

It is recommended that:

- (iii) Vacant possession of Higher Bradaford Farm, Virginstow be secured at 25 March 2020.
- (iv) The Committee approves 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.
- (v) It is recommended that 4m² 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.

4.1 The Virginstow Estate comprises:

Higher Bradaford Farm	55.46 hectares (137.04 acres)
Total	55.46 hectares (137.04 acres)

4.2 Higher Bradaford Farm is currently occupied on a Farm Business Tenancy expiring 25 March 2020.

Agenda Item 6

- 4.3 Members of the County Farms Estate Committee resolved at its meeting of 3 November 2011, under minute ref FE/1139(b)(i):

'that the tenant of Higher Bradaford Farm, Virginstow be offered a further but final seven year Farm Business Tenancy of the holding for a term commencing 25 March 2013 and terminating 25 March 2020, subject to terms being agreed'.

- 4.4 The County Council is a stakeholder in the Connecting Devon and Somerset (CDS) programme. CDS is the largest publicly subsidised rural broadband programme in England. Two contractors have been appointed to deliver the programme. Wireless broadband provide, Airband, was awarded one lot covering northern and western Devon and the remaining five lots were awarded to full fibre provider Gigaclear.
- 4.5 Airband have identified a site on Higher Bradaford Farm where they would like to site a 12m high pole with consumer radios to support their wireless network rollout.
- 4.6 Initially it was proposed by Airband that they would take a simple licence to occupy but subsequent negotiation of the terms and conditions of occupation have led to the arrangement being considered to be more akin to a lease under the new Code than a licence.

5.0 Land at Furze Cottages Farm, Ashreigney

It is recommended that 4m² 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.

- 5.1 The Ashreigney Estate comprises:

Furze Cottages Farm	42.51 hectares (105.08 acres)
Furze Barton Farm	54.32 hectares (134.23 acres)
Part Firsdon Farm	30.56 hectares (75.60 acres)
Total	127.39 hectares (314.91 acres)

- 5.2 Furze Cottages Farm and Part Firsdon Farm is in the process of being relet on the open market.
- 5.3 The County Council is a stakeholder in the Connecting Devon and Somerset (CDS) programme. CDS is the largest publicly subsidised rural broadband programme in England. Two contractors have been appointed to deliver the programme. Wireless broadband provide, Airband, was awarded one lot covering northern and western Devon and the remaining five lots were awarded to full fibre provider Gigaclear.

- 5.4 Airband have identified a site on Furze Cottages Farm where they would like to site a 12m high pole with consumer radios to support their wireless network rollout.
- 5.5 Initially it was proposed by Airband that they would take a simple licence to occupy but subsequent negotiation of the terms and conditions of occupation have led to the arrangement being considered to be more akin to a lease under the new Code than a licence.

6.0 Thorne Farm, Ottery St Mary

It is recommended that Thorne Farm, Ottery St Mary be declared permanently surplus to the operational requirements of the Estate and:

- (i) 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.
- (ii) 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.

6.1 The Ottery St Mary Estate comprises:

Cotley Farm	49.45 hectares (122.18 acres)
Thorne Farm	10.82 hectares (26.74 acres)
Total	60.27 hectares (148.92 acres)

- 6.2 The farmhouse and buildings at Thorne Farm, Ottery St Mary were sold off many years ago. The 26.74 acres or thereabouts of bare land has been retained and farmed by a local County Farms Estate tenant.
- 6.3 Thorne Farm has been identified for many years as a potential development site for the expansion of Ottery St Mary. Part of the land (8.08 acres) has been allocated within the adopted New East Devon Local Plan 2013-2031 for community/education use (Para 12.5c). Strategy 24 – Development at Ottery St Mary makes the following statement:

“Social and Community Facilities – support the schools, health and other service providers to meet their accommodation needs, including allocating land West of Kings School for community and educational uses. Further development in Ottery St Mary and surrounding areas will generate the need for additional primary school places”.

- 6.4 The Ottery St Mary and West Hill Neighbourhood Plan was ‘made’ by East Devon District Council on 19 July 2018 and now forms part of the Local Development Plan. Part of Thorne Farm is identified for educational and/or community use under NP25 of the Neighbourhood Plan.

Agenda Item 6

6.5 The current primary school at Tipton St John is in a high flood risk zone and has been identified by the Environment Agency as a potential 'risk to life'. The County Council has undertaken a feasibility study to relocate the Tipton St John primary school and part Thorne Farm has been identified as the only viable site.

6.6 There is currently a substantial funding gap between the capital available for the replacement school build and the forecast cost of actually building the school. To enable the new school to be built the County Council will need to raise a significant additional capital receipt. The County Council is thus in early discussions with East Devon District Council over a potential outline planning application for the new school and a housing development on Thorne Farm.

7.0 Land at Aldens Farm, Alphington

It is recommended 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.

7.1 The Alphington/Ide Estate comprises:

Markhams Farm	111.71 hectares (276.03 acres)
Part Aldens Farm	10.49 hectares (25.91 acres)
Total	122.20 hectares (301.94 acres)

7.2 Markhams Farm is arguably one of the best equipped dairy holdings on the Estate. It is occupied on a Farm Business Tenancy until 25 March 2026.

7.3 The land at Aldens Farm has been occupied on a series of consecutive short term Farm Business Tenancies for many years while the development potential of the land has been explored.

7.4 Land at Aldens Farm is allocated for residential development within the Exeter City Core Strategy under Policy CP1. It also forms part of the wider South West Exeter Urban Extension which provides for some 3,500 dwellings within the plan period up to 2026 to meet the evidenced housing need.

7.5 An outline residential development planning application was submitted and validated on 5 June 2015 (Ref 15/0640/OUT). Planning consent is expected to be granted by Exeter City Council soon.

8.0 Part Middle Winsham Farm, Braunton

It is recommended 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, all in accordance with the detailed terms and conditions agreed.

8.1 The Braunton Estate Comprises:

Middle Winsham Farm	40.23 hectares (99.40 acres)
Part Middle Winsham	50.09 hectares (123.79 acres)
Total	90.32 hectares (223.19 acres)

- 8.2 At the County Farms Estate Committee meeting of 11 December 2017 members resolved under minute reference FE/26(b)(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”.

- 8.3 Chapel Farm was subsequently advertised to let internally but no existing tenants applied for the tenancy of the holding. The farm was then advertised to let on the open market.
- 8.4 An interview panel was convened on 4 April 2018 to consider the open market applications for Chapel Farm. No applicants for Chapel Farm chose to apply for the land at Middle Winsham as ‘away’ ground to the main holding. As a consequence the members of the interview panel asked the land agents to put the Middle Winsham land on the open market to let until such times as it can be amalgamated with the main Middle Winsham Farm.
- 8.5 An open market advertising campaign was conducted and a competent local farmer was granted a fixed term Farm Business Tenancy on commercial terms. The County Solicitor does however require a formal committee resolution to ratify this course of action and to complete the lease.

9.0 Options/Alternatives

- 9.1 Alternative options have been considered and discounted as they are believed to either be contrary to current Estate policy and/or not in the best financial interests of the Estate.

10.0 Consultations/Representations/Technical Data

- 10.1 The views and opinions of the Devon Federation of Young Farmers Clubs and the Estate Tenants Association will be presented by the two co-opted members to the committee.
- 10.2 No other parties have been consulted and no other representations for or against the proposal have been received
- 10.3 The technical data is believed to be true and accurate.

11.0 Considerations

- 11.1 The Author is not aware of any financial, sustainability, carbon impact, equality, legal, risk management or public health issues arising from this report

Agenda Item 6

12.0 Summary/Conclusions/Reasons for Recommendations

12.1 The Author has prepared this report in accordance with the findings of the County Farms Estate Strategic Review (April 2010)

Rob Parkhouse, Head of Digital Transformation and Business Support

Electoral Divisions:

Hatherleigh & Chagford; South Molton Rural; Holsworthy Rural; Torrington Rural; Otter Valley; Alphington & Cowick; Braunton Rural

Local Government Act 1972: List of Background Papers: None

Who to contact for enquiries:

Dan Meek, NPS South West Ltd, Venture House, One Capital Court, Bittern Road, Sowton Industrial Estate, Exeter, EX2 7FW

Tel No: (01392) 351066

Email: dan.meek@nps.co.uk

The County Farms Estate The Agriculture Bill and Policy Statement

Report of the Head of Digital Transformation and Business Support

Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.

Recommendation(s):

That the Committee notes the report and welcomes the help being proposed by DEFRA in the Policy Statement for Local Authorities who want to invest in their Council Farms.

1.0 Agriculture Bill 2017-2019

- 1.1 On the 12th September 2018 the Government introduced the Agriculture Bill to Parliament.
- 1.2 The Agriculture Bill sets out how farmers and land managers will be supported over a seven year transition period as we leave the EU's Common Agricultural Policy (CAP) and move towards a new system based on public money for public goods.
- 1.3 It follows DEFRA's Health and Harmony consultation, which saw over 40,000 responses from a wider range of stakeholders (including Devon County Council).
- 1.4 The Bill provides the foundation for a new Environmental Land Management (ELM) policy, underpinned by natural capital principles, which will help deliver many of the key outcomes set out in the 25 year Environment Plan and the Clean Growth Strategy.
- 1.5 The Agriculture Bill will spend public money on:
 - Improved air and water quality
 - Improving soil health
 - Providing habitats for wildlife including hedgerows, food sources for birds and nectar sources for pollinators
 - Reducing flood risk
 - Preventing climate change – as by peatland restoration
 - Improving public access- the example is of replacing gates
 - Maintaining drystone walls and other iconic landscape features

The Governments July White Paper on the future relationship with the EU indicates that it would seek the freedom to set payment rates outside the restrictions currently imposed by the EU's state aid rules and so, potentially, on a natural capital basis recognising the benefits of such measures rather than the costs incurred in delivering them.

- 1.6 The Bill will:
 - Spend public money on public goods

Agenda Item 7

- Improve farming productivity
- Enforce compliance with conditions attached to payments to farmers and land managers
- Strengthen transparency in the supply chain through improved data collection and data sharing
- Strengthen fairness in the supply chain
- Intervene in times of extreme market disturbance
- Set common marketing standards
- Comply with the World Trade Organisation Agreement on Agriculture

2.0 Health and Harmony: the future for food, farming and the environment in a Green Brexit – policy statement

2.1 Implementation of the new system will be introduced gradually, as part of a planned and controlled transition. The Policy Statement, summarised below, sets out a clear strategy for change.

2.1.1 Transition period

2.1.1.1 Direct payments will be phased out which will free up funding to reinvest into the delivery of public goods. A new land management system will be introduced gradually. During the transition support will be provided for farmers to invest in equipment, technology, and infrastructure. This is designed to help deliver public goods, improve the productivity and resilience, and put farmers in a strong position to take up offers through environmental land management. Support might be in the form of grants, loans, loan-guarantees, or capital allowance.

2.1.1.2 Farmers and land managers will be able to earn money delivering two types of goods and services: through selling products on the open market; and providing environmental services and benefits that society relies upon. It will be up to farms and land managers to decide what types of goods or services they want to produce. This does not need to be a trade-off, as many land management activities will have multiple benefits.

2.1.2 Simplifying the CAP (2019 and 2020)

2.1.2.1 Direct payments will be paid in 2019 in the same way as in 2018. The EU rules for the Basic Payment Scheme, greening and young farmer payments will apply throughout the whole of 2019.

2.1.2.2 The direct payments for 2020 are expected to be paid in much the same way.

2.1.3 Transition period (2021 to 2027)

2.1.3.1 Direct Payments will be phased out in England with the last payments being made in the 2027 scheme year, giving farmers time to adjust.

2.1.3.2 The payment reduction will be applied in a fair way, with higher reductions initially applied to amounts in higher payment bands. In 2021 the payments will be reduced according to the table below which is expected to free up around £150 million to reinvest in the delivery of public goods.

Direct Payment Band	Reduction Percentage
Up to £30,000	5%
£30,000 to £50,000	10%
£50,000 to £150,000	20%
£150,000 or more	25%

2.1.3.3 The Central Association of Agricultural Valuers (CAAV) have estimated the following typical phased payment reductions by 2028.

2020	£15,000	£30,000	£50,000	£80,000	£120,000	£250,000
2021	£14,250	£28,250	£46,500	£70,500	£102,500	£201,500
2022	£12,200	£24,400	£39,900	£60,400	£87,900	£172,700
2023	£10,200	£20,400	£33,200	£50,400	£73,200	£143,900
2024	£8,150	£16,300	£26,600	£40,300	£58,600	£115,100
2025	£6,100	£12,200	£19,900	£30,200	£43,900	£86,400
2026	£4,100	£8,200	£13,300	£20,100	£29,300	£57,600
2027	£2,000	£4,100	£6,700	£10,000	£14,700	£28,800
2028	£0	£0	£0	£0	£0	£0

2.1.3.4 The Government has given an assurance that the present funding for agriculture will remain for the life of this parliament and so perhaps to March 2022.

2.1.4 Delinking Payments

2.1.4.1 To help new entrants get into farming and give existing farmers flexibility to plan for the future, payments will be 'delinked' from the land. This will remove the requirement to farm the land in order to receive these final payments. Some farmers may elect to use the money to invest in their business while others may choose to use the money to diversify or decide to stop farming altogether and use the money to contribute towards retirement, which may help new entrants acquire land.

2.1.5 Lump sum payments

2.1.5.1 DEFRA are looking at the potential of offering farmers the option of taking the delinked payments as a one-off lump sum in place of all their annual Direct Payments.

2.1.6 Enforcement Mechanisms

2.1.6.1 All farmers must continue to comply with good land management and husbandry standards. Alternative enforcement mechanisms will be introduced before Direct Payments are delinked so that agricultural and environmental best practice can be maintained.

2.1.7 Environmental Land Management (ELM)

2.1.7.1 As Direct Payments are phased out, funds will be released so that the new environmental land management contracts and other measures to incentivise public goods can be introduced gradually.

2.1.7.2 Environmental Land Management contracts, which may span several years, will be available to farmers and land managers who wish to improve the environment. The contracts should ensure the environmental benefits farmers deliver, but which cannot be sold or bought, are paid for by the public purse.

Agenda Item 7

2.1.7.3 The land management plans will be developed by farmers and land managers. They will have the flexibility to decide how best they can deliver environmental benefits from their business and their land. Plans will be adaptable and encourage local solutions, but they must be rooted in strong evidence and best practice.

2.1.7.4 The new ELM scheme will see tests and trials from 2019 with 'pilots' starting in 2021 and continuing into 2022-2024. ELM is intended to be fully up and running by 2025.

2.1.7.5 In the meantime Countryside Stewardship agreements, potentially simplified, would remain available until 2024 although the numbers of agreements in each year from 2021 to 2024 would depend on the development of the ELM scheme.

2.1.7.6 Higher Level Stewardship (HLS) contracts coming to an end between 2019 and 2024 might be extendable.

2.1.8 Helping new entrants

2.1.8.1 The Policy Statement clearly recognises and values the importance of encouraging and supporting new entrants into the farming sector. Copied below is the statement made in the Policy:

'We have a thriving community of young and new farmers who have a strong drive for producing the very best quality food in a way that will be sustainable for future generations. We will consider how to help Local Authorities who want to invest in their Council Farms, so that they offer real opportunities for new farmers to start a foundation business and gain the experience they need to progress onto a larger unit'.

2.1.9 Other objectives

2.1.9.1 Other objectives of the policy statement include delivery of:

- High standards of animal health and welfare
- Healthy crops, trees, plants and bees
- Preserving rural resilience, particularly in upland areas
- Innovation, research and development
- A skilled workforce adaptable to seasonal peak production periods
- Effective risk management and resilience
- Maximising trading opportunities
- A changed regulatory culture

3.0 Options/Alternatives

3.1 Alternative options have been considered and discounted as they are believed to either be contrary to current Estate policy and/or not in the best financial interests of the Estate.

4.0 Consultations/Representations/Technical Data

4.1 The views and opinions of the Devon Federation of Young Farmers Clubs and the Estate Tenants Association will be presented by the two co-opted members to the committee.

4.2 No other parties have been consulted and no other representations for or against the proposal have been received

4.3 The technical data is believed to be true and accurate.

5.0 Considerations

5.1 The Author is not aware of any financial, sustainability, carbon impact, equality, legal, risk management or public health issues arising from this report

6.0 Summary/Conclusions/Reasons for Recommendations

6.1 The Author has prepared this report in accordance with the findings of the County Farms Estate Strategic Review (April 2010).

Rob Parkhouse, Report of the Head of Digital Transformation and Business Support

Electoral Divisions: All

Local Government Act 1972: List of Background Papers: None

Who to contact for enquiries:

Dan Meek, NPS South West Ltd, Venture House, One Capital Court, Bittern Road, Sowton Industrial Estate, Exeter, EX2 7FW

Tel No: (01392) 351066

Email: dan.meek@nps.co.uk

The County Farms Estate DEFRA Clean Air Strategy 2018

Report of the Head of Digital Transformation and Business Support

Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.

Recommendation(s):

That the Committee notes the report and asks the land agents to ensure tenants are signposted to the specific guidance, advice, training and funding referred to in paragraphs 2.6 and 2.7 below.

1.0 Draft Clean Air Strategy 2018

- 1.1 The draft Clean Air Strategy outlines ambitions relating to reducing air pollution in the round, making our air healthier to breathe, protecting nature, and boosting the economy. In the draft strategy, DEFRA set out a clear direction for future air quality policies and goals. The strategy sits alongside three other important UK government strategies: the Industry Strategy, the Clean Growth Strategy and the 25 Year Environment Plan.
- 1.2 DEFRA consulted on the draft strategy earlier this year with consultation responses due back by 14 August. The feedback will help inform the final UK Clean Air Strategy and detailed National Air Pollution Control Programme to be published by March 2019.
- 1.3 The draft Clean Air Strategy 2018 sets out actions to improve air quality by reducing pollution from a wide range of sources, including agriculture.

2.0 Proposed actions to reduce emissions from farming

- 2.1 The principal air pollutant emitted through farming that DEFRA seeks to tackle is ammonia (NH₃), methane (CH₄) and non-methane volatile organic compounds (NMVOC's).
- 2.2 Ammonia is emitted during storage, land spreading and deposition of manures and slurries, and from application of inorganic fertilisers. Agriculture accounted for 88% of UK emissions in 2016. Ammonia reacts with nitrogen oxide and sulphur dioxide to form secondary particulate matter which significantly impacts on human health.
- 2.3 Cattle Farming, particularly dairy farming, accounts for a substantial proportion of ammonia emissions whereas extensively grazed livestock, which are not housed, make a small contribution to ammonia emissions.

Agenda Item 8

- 2.4 A number of existing frameworks are in place to limit ammonia emissions from agriculture. Intensive pig and poultry farms are point sources of ammonia emissions and those over a certain size are regulated under the Environmental Permitting Regulations 2018 (implementing the Integrated Pollution Prevention & Control Directive in England and Wales). Operators of intensive farms over specified thresholds must hold an environmental permit which requires adoption of Best Available Techniques for their production processes to reduce emissions to air, water and land. The use of these techniques reduces emissions from these facilities by around 30%.
- 2.5 Agriculture also accounts for around 51% of methane emissions and 14% of NMVOC emissions. These contribute to ozone formation.
- 2.6 The government is already acting to help farmers to reduce ammonia emissions. The focus of action so far has been on enabling farmers to invest in the equipment that will help to achieve this objective. As a first step, practical help for farmers was provided through the Farming Ammonia Reduction Grant Scheme which funded slurry store covers, and on-farm advice. Funding is now available through the Countryside Productivity Scheme to help farmers purchase manure management equipment including low emission spreaders and through the Countryside Stewardship Scheme for slurry tank and lagoon covers for farmers in priority water catchments.
- 2.7 DEFRA are also delivering a £3m programme of support to farmers over the next 3 years. This will start with demonstration events across the country in autumn 2018, showcasing low-emission spreading equipment and providing advice on other practical mitigation methods, such as slurry and manure storage, housing, animal feed and fertiliser use. Practical help to reduce ammonia emissions will be available to farmers in high priority water catchment areas through their catchment sensitive farming officer by the end of the year.
- 2.8 DEFRA are developing a national advisory code of good agricultural practice to reduce ammonia emissions in collaboration with farming organisations, which will be published later this year. They will explore whether the code could form the basis of a clean air standard within a wider gold standard for farmers.
- 2.9 DEFRA state that more still needs to be done to reduce emissions of ammonia in line with national targets. To achieve this, they will introduce clear, proportionate regulations. The three approaches proposed below could be introduced separately or in combination.

(a) Introduction of nitrogen (or fertiliser) limits

DEFRA will task a group of independent specialists to make recommendations by November 2019 on the maximum limits that should be applied for (organic and inorganic) fertiliser application, taking account of economic efficiency and commitments to reduce ammonia and greenhouse gas emissions from agriculture and to protect sensitive habitats and water bodies.

(b) Extension of environmental permitting to large dairy farms by 2025

Ammonia emissions arising from dairy cattle accounted for around 28% of UK agricultural ammonia emissions in 2016. However, emissions from the dairy sector are not currently regulated. Given their contribution to ammonia emissions and other pollutants, there may be a case for adopting similar controls for the largest dairy farms to those currently applied to intensive pig and poultry units under the

environmental permitting regime. In the UK, around 60% of ammonia emissions from dairy farms are from farm premises with over 150 cows. This approach would require industry and government to agree appropriate emission limits and Best Available Techniques for the sector, and regulated farms would then be given time to implement the proposals. It is proposed that the requirements should be implemented on the largest dairy farms by 2025. It is anticipated that other policies would be needed, in addition to the extension of environmental permitting to large dairy farms, in order to meet the ammonia emissions reduction targets.

(c) Rules on specific emissions-reducing practices

DEFRA propose to introduce the following rules through regulation:

- a requirement to spread urea-based fertilisers in conjunction with urease inhibitors, unless applied by injection on appropriate land by 2020
- mandatory design standards for new livestock housing by 2022; DEFRA propose that the standards would be developed in conjunction with industry and cover at least poultry, pig and dairy housing
- a requirement for all solid manure and solid digestate spread to bare land to be incorporated rapidly (within 12 hours) by 2022
- a requirement to spread slurries and digestate using low-emission spreading equipment (trailing shoe or trailing hose or injection) by 2027
- the requirement for all slurry and digestate stores and manure heaps to be covered by 2027

3.0 Options/Alternatives

- 3.1 Alternative options have been considered and discounted as they are believed to either be contrary to current Estate policy and/or not in the best financial interests of the Estate.

4.0 Consultations/Representations/Technical Data

- 4.1 The views and opinions of the Devon Federation of Young Farmers Clubs and the Estate Tenants Association will be presented by the two co-opted members to the committee.
- 4.2 No other parties have been consulted and no other representations for or against the proposal have been received
- 4.3 The technical data is believed to be true and accurate.

5.0 Considerations

- 5.1 The Author is not aware of any financial, sustainability, carbon impact, equality, legal, risk management or public health issues arising from this report

6.0 Summary/Conclusions/Reasons for Recommendations

- 6.1 The Author has prepared this report in accordance with the findings of the County Farms Estate Strategic Review (April 2010)

Agenda Item 8

Rob Parkhouse, Report of the Head of Digital Transformation and Business Support

Electoral Divisions: All

Local Government Act 1972: List of Background Papers:

None

Who to contact for enquiries:

Dan Meek, NPS South West Ltd, Venture House, One Capital Court, Bittern Road, Sowton
Industrial Estate, Exeter, EX2 7FW

Tel No: (01392) 351066

Email: dan.meek@nps.co.uk