

Phil Norrey
Chief Executive

To: The Chairman and Members of
the Farms Estate Committee

County Hall
Topsham Road
Exeter
Devon
EX2 4QD

(See below)

Your ref :
Our ref :

Date : 20 June 2016
Please ask for : Wendy Simpson, 01392 384383

Email: wendy.simpson@devon.gov.uk

FARMS ESTATE COMMITTEE

Tuesday, 28th June, 2016

A meeting of the Farms Estate Committee is to be held on the above date at **10.00 am** in the Committee Suite, County Hall, Exeter EX2 4QD 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 (Pages 1 - 4)

Minutes of the meeting held on 28 April 2016, attached.

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 2016/17 (Month 2) and Revenue Monitoring (Final Outturn) 2015/16
(Pages 5 - 8)

Report of the County Treasurer (CT/16/62) on the County Farms Estate Revenue Monitoring 2016/17 (Month 2) and Revenue Monitoring (Final Outturn) 2015/16, attached.

Electoral Divisions(s): All Divisions

- 5 Capital Monitoring (Month 2) 2016/17 and Capital Monitoring 2015/16 (Final Outturn)
(Pages 9 - 12)

Report of the County Treasurer (CT/16/63) on the County Farms Estate Capital Monitoring (Month 2) 2016/17 and Capital Monitoring 2015/16 (Final Outturn), attached.

Electoral Divisions(s): All Divisions

- 6 The County Farms Estate - Annual Report 2015/16 (Pages 13 - 22)

Report of the County Treasurer (CT/16/64) on the County Farms Estate Annual Report 2015/16, attached.

Electoral Divisions(s): All Divisions

- 7 Management and Restructuring Issues (Pages 23 - 26)

Report of the Head of Business Strategy and Support (BSS/16/09) on County Farms Estate Management and Restructuring Issues, attached.

Electoral Divisions(s): Chulmleigh and Swimbridge

- 8 Pollinators and Neonicotinoids (Pages 27 - 30)

Report of the Head of Business Strategy & Support (BSS/16/11) on the views of the County Farms Estate tenants on the use of Neonic pesticides on the Estate, attached.

Electoral Divisions(s): All Divisions

MATTERS FOR INFORMATION

- 9 Bicton College - Update from Dr Phil Le Grice, Principal of Bicton College

The Principal of Bicton College will attend and update the Committee on improvement measures achieved to date following the merger with the Duchy College and the wider Cornwall Colleges Group in 2014.

Electoral Divisions(s): All Divisions

- 10 Future Meetings

Please use link below for County Council Calendar of Meetings:

<http://democracy.devon.gov.uk/ieDocHome.aspx?bcr=1>

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

- 11 Exclusion of the Press and Public

Recommendation: 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 is 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 outweighs the public interest in disclosing the information.

MATTERS FOR DECISION

12 Holdings and Tenancies etc.

(An item to be considered by the Committee in accordance with the Cabinet Procedure Rules and Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, no representations having been received to such consideration taking place under Regulation 5(5) thereof)

Report of the Head of Business Strategy and Support (BSS/16/10) on requests for landlord's consent to proposed tenants' improvements, attached GOLD paper.

*Electoral Divisions(s): Bideford South & Hartland;
Exminster and Kenton;
Newton St Cyres and Sandford*

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.

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Membership
Councillors C Chugg (Chairman), J Berry, J Brook, A Dewhirst, R Julian, R Rowe and J Yabsley Co-opted Members C Bellew (Devon Federation of Young Farmers Clubs) and C Latham (Tenants Representative)
Declaration of Interests
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.
Access to Information
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 Both the Forward Plan and agenda and minutes of the Committee are published on the Council's Website.
Webcasting, Recording or Reporting of Meetings and Proceedings
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/ 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 Chairman. 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 Chairman or the Democratic Services Officer in attendance so that all those present may be made aware that is happening.

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.

Emergencies

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.

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Please switch off all mobile phones before entering the Committee Room or Council Chamber

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Induction loop system available

- (a)
- (b)

FARMS ESTATE COMMITTEE

28 April 2016

Present:-

County Councillors

Councillors C Chugg (Chairman), G Gribble (Vice-Chair), J Brook, A Dewhirst, R Julian and R Rowe

Co-opted Members:-

C Latham (Tenants Representative)

Apologies:-

Councillors J Berry

* **1** Minutes

RESOLVED that the minutes of the meetings held on 19 and 22 February be signed as correct records.

* **2** Pollinators and Neonicotinoids (Cabinet Minute *13, 13 April 2016)

(Councillor Hook attended in accordance with Standing Order 25(2) and spoke to this item in support of the action now proposed).

The Committee noted that the Cabinet had on 13 April 2016 asked this Committee for its view on prohibiting *'the use of neonicotinoids on land under the control or ownership of the County Council including existing and new tenants of the County Farms Estate'* as part of a wider Pollinators Action Plan, the production of which had been agreed, in principle, with a decision on the final content of the Plan to be determined by Cabinet in light of this Committee's views.

The Committee also considered the Joint Report of the Head of Planning Transportation and Environment and Head of Business Strategy and Support (PTE/16/22) setting out the relevant issues appertaining to the Farms Estate in more detail.

Whilst there might be practical implications of using alternative insecticides, including costs, the Tenants' Representative confirmed that to the best of his knowledge there was limited use, if any, of neonicotinoids within the Estate. Its use in the main was on oil seed rape and maize which was not, in the case of the former, grown by any of the current tenants. Maize was grown on the Estate particularly by dairy tenants. These insecticides were, apparently, only available under licence which he further understood was not easily obtained, presumably in light of current concerns nationally. Overall he felt that prohibiting the use of neonicotinoids would make little difference to the operation of the Estate but agreed it was important to undertake the pending consultation so that a better understanding of the facts could be ascertained before any decisions on the future use or otherwise of currently legally permitted neonics is made.

The Head of Business Strategy and Support reminded the Committee of the legal arrangement that existed between the County Council and existing tenants noting that the County Council could not unilaterally and retrospectively prevent existing tenants from using otherwise legally available insecticides including neonics.

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FARMS ESTATE COMMITTEE
28/04/16

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

RESOLVED

(a) that a tenants' survey be undertaken, urgently, to better understand the use of neonicotinoids on the County Farms Estate and while the survey is being carried out the opportunity be taken to gain up-to-date information that may help inform a stage 1 feasibility study into the potential for anaerobic digestion energy production on the Estate;

(b) that the results of the survey be submitted to the next meeting of this Committee to be held now on Tuesday 28 June 2016 at 10.00am (instead of 26 July 2016) in order that the future use of legally permitted neonicotinoids on the Estate can be discussed and a response made to the Cabinet at its meeting on 13 July 2016;

(c) that potential positive opportunities be explored to address pollination issues on the County Farms Estate through the Pollinators Action Plan for presentation to Cabinet, in line with the objectives of the Farms Estate Strategic Review.

* 3 **Revenue Budget 2015/16 (Provisional Outturn) and 2016/17 Budget**

The Committee received the Report of the County Treasurer (CT/16/46) on the County Farms Estate Revenue Monitoring (Provisional Outturn) Statement 2015/16 and draft Revenue Budget 2016/17, noting that:

(a) the target surplus for 2015/16 was now set at £337,000, with provisional outturn figures showing a net surplus of £325,000; and

(b) the draft budget for 2016/17 included a revised target surplus of £362,000.

* 4 **Capital Monitoring 2015/16 (Provisional Outturn) and draft Capital Programme 2016/17**

The Committee received the Report of the County Treasurer (CT/16/47) on the County Farms Estate Capital Monitoring 2015/16 (Provisional Outturn) and draft Capital Programme 2016/17, noting that:

(a) the provisional outturn stood at £1,284,000, out of a capital programme for 2015/16 of £2,074,000;

(b) there was a net underspend of £19,000, **after** allowing for slippage to 2016/17 of £771,000;

(c) the approved Capital Programme for 2016/17 included schemes totalling £1,671,000.

* 5 **Management and Restructuring Issues**

The Committee considered the Report of the Head of Business Strategy and Support (BSS/16/06) on County Farms Estate management and restructuring issues.

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

RESOLVED

(a) Land at Combefishacre Farm, Ipplepen

that 11.18 hectares or thereabouts of land at Combefishacre Farm, Ipplepen be advertised to let in internal competition between the tenants of Bulleigh Elms Farm, Ipplepen; Lomans Farm, Broadhempston; Fairfield Farm, Denbury; Coppa Dolla Farm; Denbury and Buckridge

Farm, Denbury on a five year Farm Business Tenancy commencing 25 March 2017, subject to terms being agreed;

(b) Higher Leigh Farm, Churchstow

(i) that the house buildings and 86.14 acres or thereabouts of land comprising Higher Leigh Farm, Churchstow be advertised to let to new entrants in the open market on a seven year Farm Business Tenancy commencing 25 March 2017 and terminating 25 March 2024 and as a mixed livestock enterprise expressly precluding the milking of dairy cows, subject to terms being agreed; and

(ii) that the additional 23.13 acres of adjoining land known as Part Combe Royal be let to the new tenant of Higher Leigh Farm under a consecutive series of 12 month Farm Business Tenancy Agreements, subject to terms being agreed, until such times as any development potential can be realised;

(c) Lower Chitterley Farm, Bickleigh

(i) that the tenant's early surrender of his Farm Business Tenancy of Lower Chitterley Farm, Bickleigh, effective 25 March 2017, be accepted by the landlord;

(ii) that in the first instance the house buildings and 149.91 acres or thereabouts of land comprising Lower Chitterley Farm, Bickleigh be advertised to let internally to existing tenants as a potential progression opportunity on a Farm Business Tenancy for a term of up to fifteen years commencing 25 March 2017, subject to terms being agreed; and

(iii) that should no existing tenants apply for or be offered a tenancy of Lower Chitterley Farm, Bickleigh the house buildings and 149.91 acres or thereabouts of land be advertised to let to new entrants in the open market on a seven year Farm Business Tenancy commencing 25 March 2017 and terminating 25 March 2024, subject to terms being agreed;

(d) Lomans Farm, Broadhempston

that the offer from a neighbouring special purchaser be accepted and that 0.012 ha of Part OS 4115 be declared permanently surplus to the operational requirements of the Estate and sold.

* **6** **Actions taken under delegated powers**

The Committee noted the actions taken by the Chairman of the Cabinet and the Head of Business Strategy and Support, in accordance with Part 3 of the County Council's Constitution.

* **7** **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.

* **8** **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

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FARMS ESTATE COMMITTEE
28/04/16

consideration under Regulation 5(5) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.)

The Committee considered the Report of the Head of Business Strategy and Support (BSS/16/07) on requests for landlord's consent to tenants' proposed improvements.

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

RESOLVED

(a) New Form Farm, Rockbeare

that landlord's consent be granted for a 60' x 30' and 12' to eaves painted steel portal framed general purpose shed with stoned apron for machinery and general storage at New Ford Farm, Rockbeare subject to the physical improvement being written down in value to £100 on a straight line basis over a life expectancy of 25 years;

(b) Topshayes Farm, Aylesbeare

that landlord's consent be granted for a 105' x 30' and 14' to eaves painted steel portal framed general purpose storage and calf rearing shed to replace two life expired tenants' timber frame and clad buildings at Topshayes Farm, Aylesbeare subject to the physical improvement being written down in value to £100 on a straight line basis over 10 years (this shortened write down period being a direct requirement of the head landlord).

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

The Meeting started at 2.15 pm and finished at 3.15 pm

The County Farms Estate

Revenue Monitoring 2016/17 (Month 2) & Revenue Monitoring (Final Outturn) 2015/16

Report of the County Treasurer

1. Monitoring 2016/17 – Month 2

- 1.1 The Revenue Budget presented to Corporate Service Scrutiny Committee on 22nd January 2016 included a target surplus of £318,000 for the County Farms Estate, in accordance with targets set by Cabinet at its meeting on 13th January 2016.
- 1.2 This took account of inflationary increases, anticipated rent reviews and increased expenditure in respect of future year's development potential.
- 1.3 Insurance budgets have now been centralised to enable the authority to manage its insurance needs in a more efficient way, as reported to this Committee on 28th April, 2016. As such, the target surplus has now been revised to £362,000. This has no impact on the County Farms Revenue budget as insurance costs will no longer be borne by this budget
- 1.4 Appendix A provides a summary of the annual budget (annual target) It also provides details of income and expenditure to date.
- 1.5 As at month 2, there is very little expenditure to report. Some expenditure headings are still recording a net credit with accruals for 2015/16 as yet not fully spent. Most of these are fairly minor and further invoices are still anticipated.
- 1.6 The notable accruals relate to tenant right valuations and associated professional fees, settlements for which are still awaiting completion. This relates to liabilities falling due at or before 25th March 2016 which have yet to be released.
- 1.7 Income is also low, as expected, because we have not yet reached the primary rent demand dates of Michaelmas and Lady Day.

2 Final Outturn 2015/16

- 2.1 The Final Outturn is unchanged from the provisional outturn reported to this Committee on 28th April, 2016, which showed a net surplus of £325,000 compared to the target surplus of £337,000.

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2.2 The small shortfall followed a reduction in rental income following agreement to offset a tenancy compensation payment against rental arrears. This resulted in a small shortfall (£19,000) against the Revenue Budget and a corresponding underspend against the Capital allocation.

3 **Options/Alternatives**

3.1.1 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 **Consultations/Representations/Technical Data**

4.1.1 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.

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

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

5 **Considerations**

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

6 **Summary/Conclusions/Reasons for Recommendations**

6.1.1 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: Martin Oram, Chief Accountant, County Treasurer's, County Hall, Exeter

Contact: 01392 382418 or martin.oram@devon.gov.uk

COUNTY FARMS ESTATE - FINANCIAL REPORTS FINANCIAL STATEMENT - MONTH 2 2016/17

	YEAR TO DATE £'000	ANNUAL TARGET £'000	CURRENT FORECAST £'000
<u>INCOME</u>			
Rent	(54)	(1,022)	(1,022)
Other	(23)	(50)	(50)
TOTAL INCOME	(77)	(1,072)	(1,072)
<u>EXPENDITURE</u>			
<u>STATUTORY COSTS</u>			
Tenant Right Valuation	(108)	2	2
SUB - TOTAL	(108)	2	2
<u>PREMISES COSTS</u>			
Building Maintenance - unforseen	(2)	127	127
Building Maintenance - programmed	2	150	150
Building Maintenance - Surveys	0	10	10
Building Maintenance - STC	(2)	20	20
Building Maintenance - other (incl. land agents initiatives, redundant buildings, asbestos and health & safety)	(3)	65	65
Grounds Maintenance	0	10	10
Rents & other landlord charges	0	14	14
Rates, Electricity and Water Charges	0	12	12
SUB - TOTAL	(5)	408	408
<u>SUPPLIES & SERVICES</u>			
Insurance	0	0	0
Adverts	0	2	2
NPS Fees	0	230	230
Legal Fees	(4)	3	3
Professional Fees	(11)	6	6
Other Fees & Charges (DFYF, SHLAA, GPDO)	0	59	59
SUB - TOTAL	(15)	300	300
TOTAL EXPENDITURE	(128)	710	710
NET OPERATIONAL (SURPLUS)/DEFICIT	(205)	(362)	(362)

The County Farms Estate

Capital Monitoring (Month 2) 2016/17 & Capital Monitoring 2015/16 (Final Outturn)

Report of the County Treasurer

1 Capital Monitoring (Final Outturn) 2015/16

- 1.1.1 The final outturn is unchanged from the provisional outturn reported to this Committee on 28th April, 2016, which showed expenditure of £1,284,000 and scheme slippage of £771,000, leaving a net underspend of £19,000 against the capital programme of £2,074,000.

2 Capital Monitoring (Month 2) 2016/17

- 2.1 The Capital programme presented to Corporate Services Scrutiny Committee on 22nd January 2016 (and subsequently approved by County Council) included schemes totalling £1,671,000.
- 2.2 The programme includes £271,000 for existing Nitrate Vulnerable Zone compliance schemes, and £900,000 in respect of additional scheme priorities.
- 2.3 The remaining £500,000 relates to additional scheme priorities for Devon Homes Standards, Energy Act and other associated infrastructure projects.
- 2.4 Added to this is scheme slippage of £771,000, resulting in a capital programme of £2,442,000 for 2016/17.
- 2.5 Expenditure to date is fairly low, but including commitments totals £733,000.
- 2.6 This is analysed further in the sections that follow;
- #### 2.7 Nitrate Vulnerable Zone Compliance
- 2.7.1 Although two slurry stores are currently in the process of being constructed, as at month 2, no actual spend had been recorded.
- 2.7.2 In total four new concrete box slurry stores are planned to be constructed, two of which are under way, one is out to tender and the fourth is at final design and specification stage.

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2.7.3 Forecast spend currently stands at £1,174,000, with a full year forecast of £1,686,000 on NVZ compliant schemes for 2016/17 once the capital programme has been finalised and all schemes are let.

2.8 **Compensation Payments (Tenants Improvements, etc..)**

2.8.1 Forecast spend in respect of existing liabilities stands at £20,000 in accordance with the approved programme. This excludes any additional liabilities that may fall due in year or at 25 March 2017.

2.9 **Enhancements and Improvements**

2.9.1 Forecast spend currently stands at £260,000, with a full year forecast of £736,000 once the 2016/17 capital programme has been finalised and all schemes are let.

2.10 **Land Acquisitions**

2.10.1 Currently no capital is available to purchase land.

3 **Options/Alternatives**

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

4 **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 **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 **Summary/Conclusions/Reasons for Recommendations**

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

Mary Davis – County Treasurer

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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: Martin Oram, Chief Accountant, County Treasurer's, County Hall,
Exeter

Contact: 01392 382418 or martin.oram@devon.gov.uk

The County Farms Estate – Annual Report 2015/16 Report of the County Treasurer

1 Background/Introduction

- 1.1.1 This is the twenty-fifth annual report of the County Farms Estate and the sixth year in this revised format since the Devon County Council Farms Estate Strategic Review of March 2010.
- 1.1.2 This report is divided into the following sections:
Committee Functions
Financial Performance
Estate Management Performance
Other Notable Estate Achievements and Events

2 Meetings and other activities of the Farms Estate Committee 2015/16

- 2.1.1 The Farms Estate Committee met on 30 April, 16 July, 5 November 2015 and 19 February 2016. In addition to the usual financial and management matters other issues discussed by Committee included:
Annual Report 2014/15
Monitoring of tenant's on initial Farm Business Tenancy's
Agricultural Holdings Act 1986 – Case A Notice's to Quit
Requests for extensions to existing Tenancy's
Requests for Landlord's consent for Tenant's Improvements
- 2.1.2 An interview panel met on four occasions during the year to interview tenants for New Gulliford Farm, Merrifield Farm, Coppa Dolla Farm and Little Stone Farm.
- 2.1.3 The Chairman, a second member of the Committee and a Land Agent also visited the Parishes of Braunton, Yarnscombe, Silverton, Down St Mary and Milton Abbot to undertake tenant's monitoring visits.
- 2.1.4 The committee attended site visits at East Fingle Farm and Higher Fingle Farm, Drewsteignton and Lower Henland Farm, Kentisbeare.

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3 Finance

3.1.1 The financial performance of the Estate is again analysed in four areas, namely revenue income and expenditure, capital receipts and capital investment.

3.1.2 The Estate revenue budget outturn statement for the year ending 31 March 2016 is appended (Appendix A). At the request of the committee details of some of the key results areas for the three previous trading years have been added to offer some form of trend comparator analysis.

3.2 Revenue Income

3.2.1 Revenue income from the Estate in 2015/16 was £965,357 compared with a target of £993,000. This shortfall can be accounted for by the fact that some tenant right valuation liabilities due from the landlord to tenants were offset against rent owing by those tenants to the landlord.

3.2.2 Miscellaneous income totalled £41,949 compared with a target of £61,000. This shortfall is largely due to reduced income from the mast share at Ilfracombe, following a programme of end user infrastructure consolidation.

3.2.3 Therefore total income secured was £1,007,306 against a target of £1,054,000.

Revenue Income	2012/13	2013/14	2014/15	2015/16
Rental	£897,760	£928,614	£997,812	£965,357
Miscellaneous	£35,576	£49,613	£63,156	£41,949
Total	£933,336	£978,227	£1,060,968	£1,007,306

Revenue Income Analysis	2012/13	2013/14	2014/15	2015/16
Actual	£933,336	£978,227	£1,060,968	£1,007,306
(a) Per Farm	£12,453	£13,789	£15,603	£14,599
(b) Per Hectare	£240	£254	£273	£259
(c) As a % of Target	102%	107%	114%	96%

3.3 Revenue Expenditure

3.3.1 There was an overall spend of £240,951 on repair and maintenance of which 52% (£126,141) was planned maintenance

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and 48% (£114,810) was unforeseen and reactive work. The proportion of unforeseen maintenance spend has increased slightly from 47% in 2014/15.

Expenditure	2012/13	2013/14	2014/15	2015/16
Programme	£133,697	£76,523	£153,065	£126,141
Unforeseen	£109,122	£130,333	£139,722	£114,810
Total Maintenance	£242,819	£206,856	£292,787	£240,951

3.3.2 £257,973 was spent in total on professional fees relating to estate management, Farmwise Devon and the procurement of repairs, maintenance, compliance management, service term contracts and other works.

3.3.3 £8,099 was spent on other professional fees and independent legal advice or barristers opinions.

3.3.4 £22,748 was spent on the Estate contribution towards financing the Devon Federation of Young Farmers Clubs County Organisers post.

3.3.5 £16,676 was spent on servicing plant and equipment on the Estate including private water supplies and boilers owned by the Landlord.

3.3.6 £2,200 was spent on roadside tree surgery works arising as a consequence of periodic surveys and other ground maintenance works.

3.3.7 £18,050 was spent on Landlord's health and safety improvements, removing and replacing asbestos and demolishing redundant buildings.

3.3.8 £54,733 was spent on compensating tenants for fixtures, fittings and improvements on 8 farms.

3.4 **Revenue Surplus**

3.4.1 A revenue surplus of £325,571 was achieved compared with a target of £337,000.

Revenue Surplus	2012/13	2013/14	2014/15	2015/16
Target	£272,600	£300,000	£273,000	£337,000
Actual	£274,853	£307,731	£273,714	£325,571
As a % of Target	101%	102%	100%	97%

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3.5 Running Costs

- 3.5.1 Running costs for 2015/16 were £425,000 against a target of £517,000. The reduced in year spend principally related to a reduction in Land Agents Initiatives, revenue funded restructuring, and some programme and unforeseen maintenance expenditure.

Running Cost	2012/13	2013/14	2014/15	2015/16
(d) Per Farm	£5,672	£5,944	£8,046	£6,159
(e) Per Hectare	£108	£110	£141	£109
(f) As a % of Income	46%	43%	57%	42%

3.6 Management Costs

- 3.6.1 Management costs for 2015/16 were £258,000 against a target of £200,000 but the additional costs principally related to additional speculative planning design work, completing the in depth development appraisal, Farmwise Devon (October 2015) and the extra summer Farmwise event at the County Show (May 2015).

Management Cost	2012/13	2013/14	2014/15	2015/16
(g) Per Farm	£3,118	£3,507	£3,531	£3,739
(h) Per Hectare	£60	£65	£62	£66
(i) As a % of Target	25%	25%	23%	26%

4 Capital Receipts

- 4.1.1 In 2015/16 the Estate generated £3,843,000 from the sale of three surplus assets.

Capital Receipts	2012/13	2013/14	2014/15	2015/16
Actual	£1,247,500	£1,021,500	£605,519	£3,813,001
Target	£925,000	£1,254,000	£1,197,000	N/A
As a % of Target	135%	81%	51%	N/A

- 4.1.2 No target for capital receipts was specifically set for the County Farms Estate in 2015/16 as all sales are now considered as part of the overall corporate capital receipts target.

- 4.1.3 At year end a further 8 properties were 'sold subject to contract' with a potential capital receipt value of £6,036,600 expected to be received in 2016/17.

- 4.1.4 A further 4 properties have been declared permanently surplus to the operational requirements of the Estate, are with vacant possession and awaiting marketing. Estimated further capital receipt potential value of £765,000 likely to be generated in 2016/17.

5 **Capital Investments**

- 5.1.1 Capital investment amounted to £1,284,000. Investment was targeted at further slurry and dirty water storage capacity to ensure more dairy farms had sufficient capacity to comply with anti-pollution regulations. Further costs were incurred on end of tenancy compensation liabilities, listed building preservation works, farmhouse renovation works and improvements.
- 5.1.2 At year end a total of £771,000 of capital funding is committed to previously approved schemes on the Estate and carried forward to the new financial year. It is anticipated this money will be spent in 2016/17.

6 **Net capital contribution to the Corporate Capital Programme**

- 6.1.1 After the County Farms Estate inward capital investment programme is deducted from the capital receipts generated by the sale of surplus Estate assets, a net capital contribution of £2,559,000 was made by the Estate to the corporate capital programme in 2015/16.

7 **Estate Management Performance**

- 7.1.1 The achievements for 2015/16 are analysed, as on previous occasions, in two areas – namely tenant matters and property matters.
- 7.1.2 Tenant Matters
- One tenant has progressed off the Estate to a larger tenanted farm in the private sector. One tenant has retired and one has surrendered his tenancy to pursue another career. No progression farms were relet internally. Four Farms (New Gulliford, Merrifield, Coppa Dolla and Little Stone) were relet to new tenants where the level of interest and standard of applicants was extremely high.
- 7.1.3 Property Matters
- The size of the Estate decreased to 3,892.71 ha (9,618.89 acres) during 2015/16. This was the net result of sales at part Monkerton Farm, Slade Farm and part Higher Bradaford Farm and the transfer to the Estate of Dainton Depot and part Lower Farm.

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Size of the Estate	2012/13	2013/14	2014/15	2015/16
Hectares	3,905.28	3,848.30	3,920.08	3,892.71
Acres	9,649.81	9,509.02	9,686.52	9,618.89

7.1.4 The overall picture of the Estate as at 31 March 2016 was as follows:

	2012/13	2013/14	2014/15	2015/16
Number of let residential farms	75	71	68	69
Total AHA 86 Farms	31	26	23	20
AHA 86 Lifetime Tenancies	17	14	12	11
AHA 86 Retirement Tenancies	14	12	11	9
Total ATA 95 (FBT) Farms	44	45	45	49
FBT's more than seven years	19	18	18	20
FBT's seven years or less	27	25	25	29

7.1.5 One 'cottage' tenancy has been let to a former '86 Act 'retirement' tenant.

7.1.6 Two blocks of bare land are let to Parish Council's for community use (playing field and allotments).

7.1.7 Five blocks of bare land are let to non core estate agricultural tenants (land at Whitsun Farm, Part Middle Winsham Farm, Cofton Cross, Part East Hill Farm and Part Greenhills Farm).

7.1.8 Three farmsteads are declared surplus to the operational requirements of the estate and are currently vacant pending disposal (Parks Farm, Tapps Farm and East Hill Farm).

8 Other notable Estate achievements and events

- 8.1.1 Farmwise –
- (i) For the first time, Farmwise was present at the County Show for the three days 21, 22 and 23 May. By kind permission and free of charge a cut down version of the main October event was hosted in the Wadsworth Pavilion at the centre of the show ground. The exhibit won the Devon County Agricultural Association (DCAA) 'Gold' Award for the best feature stand.
- (ii) The third Farmwise Devon event was held on 13 October 2015 at Westpoint. The following key facts are worthy of note:
Approximately 1,400 pupils
Approximately 27 schools
12 zones (dairy, beef, sheep, pigs, poultry, fruit, vegetables, arable, wildlife, forestry, food and environment)
8 tenants from within the estate volunteering and running zone exhibits.
- 8.1.2 County Show – young farmer and new entrant farm business planning drop in sessions. While present at the show manning the Farmwise exhibit, the land agents made themselves available to guide prospective tenants through the mire of cashflows, budget, and business plan preparation.
- 8.1.3 County Show – The Estate made full use of the availability of the Wadsworth Pavilion over the show days and invited all Estate tenants to an informal 'pig and pint' night. A superb hog roast was provided by Keith and Roz Partridge of Duckaller Farm; 'Aunty Moo's' fantastic range of ice cream was provided by Chris and Lou Carpenter of Fairfield Farm, Denbury; and the now world famous 'Sandford Orchard's' apple juice and cider was provided by Barny and Marie Butterfield of Lower Parks Farm, Crediton.
- 8.1.4 Devon Federation of Young Farmers Clubs – The Estate part funded the County Organisers costs of employment.
- 8.1.5 Devon Federation of Young Farmers Clubs – The Senior Land Agent held two farm business planning workshops for young farmers looking at preparation of cashflows and budgets, business plan preparation, presentation and interview skills.
- 8.1.6 The Estate hosted the Devon YFC farm business planning competition viewing evening at Lower Uppacott Farm, Mariansleigh, with kind permission of Estate tenants, Ben and Catherine Rowland.
- 8.1.7 In partnership with the Devon Federation of Young Farmers Clubs, all tenants were invited to a farm health and safety training day.

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8.1.8 Biodiversity and Public Access Audits – As part of the farm reletting process three farms let were subject to a new biodiversity and public access audit carried out by the County Councils Environment Directorate. The findings of the audits will be put forward for the new tenants consideration and implementation wherever reasonably practical.

8.1.9 Addington Fund – Devon Farm Business Awards

The awards are organised by a partnership of the Addington Fund, the Devon County Agricultural Association (DCAA), and Stephens & Scown Solicitors.

There are eight award categories for farmers and growers in Devon to apply for:

- Best Commercial Farmer – sponsored by Francis Clark Chartered Accountants
- Best Dairy Farmer – sponsor to be confirmed
- Best Woman in Farming – sponsored by Natwest
- The John Neason Diversification Award – sponsored by The Central Association of Agricultural Valuers
- Devon's Farming Champion – sponsored by the NFU and NFU Mutual
- Devon's Best Young Farmer – sponsored by Savills.

In 2015 the land agents worked with two tenants to apply:

Chris and Lou Carpenter of Fairfield Farm, Denbury applied for the John Neason **Diversification Award**.



Although unsuccessful, the following text is an extract from the judges comments:

*The second visit was to **Fairfield Farm, Denbury** where **Chris and Louise Carpenter** have very recently taken the step of adding value to the very high quality milk produced by their pedigree Guernsey Cows in the form of 'Aunty Moo's' ice cream. As new entrant tenants of a Devon County Council owned farm they have already invested significantly in an on farm processing unit. Although the product is relatively new and only recently sufficiently well established to finance specialist marketing support, the high quality ice cream is selling increasingly well. The ability to produce a consistent quality product available to both wholesale and retail markets combined with the added value premium over the volatile wholesale milk price is beginning to yield attractive financial returns. Although not new, adding value to a raw milk product is becoming much more than a niche market outlet for the dairy industry. Chris and Lou have incredibly exciting plans for developing further added value products. The potential health benefits of the apparent unique proteins found in Guernsey cow milk makes Aunty Moo's a product to watch for the future!*

Marcus and Liz Warner of Lower Henland Farm, Kentisbeare applied for the **Best Young Farmer Award** and again, although unsuccessful, the feedback from the judges was highly commending.

'With an aspiration to become the largest producers of 'free to fly' quail eggs in the UK, and a very impressive eye for detail and financial business acumen, the judges could see that the Warner's were destined to be highly successful farmers'.

9 Options/Alternatives

- 9.1.1 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 Consultations/Representations/Technical Data

- 10.1.1 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 of the committee.
- 10.1.2 No other parties have been consulted and no other representations for or against the proposal have been received.
- 10.1.3 The technical data is believed to be true and accurate.

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11 **Considerations**

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

12 **Summary/Conclusions/Reasons for Recommendations**

- 12.1.1 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:

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

Name: Martin Oram, Chief Accountant, County Treasurer's, County Hall, Exeter

Contact: 01392 382418 or martin.oram@devon.gov.uk

THE COUNTY FARMS ESTATE MANAGEMENT AND RESTRUCTURING

Report of the Head of Business Strategy and Support

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

Recommendation(s):

1. That the Committee approves the recommendation set out in the opening paragraphs of section 1 and 2 of this report.

1.0 Beara Down Farm, Bratton Fleming

- (i) That the Beara Down farmhouse, buildings and some land extending in total to 15.84 acres or thereabouts and more particularly described as OS 9089 and Pt's OS 7200, 9793 and 0005 be relet on a further Farm Business Tenancy Agreement to the existing tenant for a term commencing 25 March 2017 and expiring 25 March 2018, subject to terms being agreed.
- (ii) That 26.05 acres of land or thereabouts forming part Beara Down Farm and more particularly described as OS 0800, 0805, 1500, 3122, 4425 and 5625 be relet on a further Farm Business Tenancy Agreement to the existing tenant for a term commencing 25 March 2017 and expiring 25 March 2024, subject to terms being agreed.

1.1 At the County Farms Estate Committee meeting of 9 February 2012 members considered the part II report BSS/12/05 and resolved under minute reference FE/128:

- (a) That the tenants proposed short surrender of Beara Down Farm be accepted;*
- (b) that 56.92 acres of land or thereabouts forming part Beara Down Farm, Bratton Fleming and more particularly described as OS 5157, 7747, 0546, 2044, 3141, 0131, 1730, 9715 and 1514 be declared permanently surplus to the operational requirements of the Estate so that it can be sold to the tenant simultaneously to the tenancy surrender referred to in (a) above, subject to terms being agreed;*
- (c) that the tenant's counteroffer to purchase the 56.92 acres of land be accepted, subject to all other terms and conditions being agreed;*
- (d) that the Beara Down farmhouse, buildings and 20.79 acres of land or thereabouts and more particularly described as OS Pt 7200, 9089, 0005, 0805, 0800 and 1500 be relet back to the tenant on a five year Farm*

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Business Tenancy Agreement commencing 25 March 2012 and terminating 25 March 2017, subject to terms being agreed;

(e) that 21.05 acres of land or thereabouts forming part Beara Down Farm and more particularly described as OS 3122, 4425 and 5625 be relet back to the tenant on a further separate five year Farm Business Tenancy Agreement commencing 25 March 2012 and terminating 25 March 2017, subject to terms being agreed.

- 1.2 The tenant of Beara Down Farm subsequently surrendered his Agricultural Holdings Act 1986 tenancy, purchased the 56.92 acres of land and took the two Farm Business Tenancy Agreements referred to in resolution (d) and (e) above. The two Farm Business Tenancies are due to terminate on 25 March 2017. Notices to Quit have been served.
- 1.3 The tenant of Beara Down Farm has, since 2012, erected agricultural buildings on his own land and the farm business is in the process of being relocated. A planning application has recently been submitted for an agricultural dwelling on the tenants own land and although confident the application will be approved by the Local Planning Authority, it is unlikely the dwelling will be constructed and available to occupy by 25 March 2017. The tenant has thus asked if he can continue to occupy the farmhouse and buildings for a short while longer.
- 1.4 Negotiations are ongoing with the neighbouring special purchasers of part Beara Down Farm concerning the potential, subject to planning and contract sale of approximately 2.00 acres of land forming part OS 0005 for Industrial/Employment Use development, extending the adjacent small industrial site. It is understood the prospective purchaser will be submitting a full planning application within the foreseeable future.
- 1.5 An outline planning application for residential development was submitted by NPS South West Ltd, for and on behalf of the County Council, on the Beara Down farmstead and a field linking the farmstead to the existing village built environment. In total, the proposed development site extended to 5.67 acres or thereabouts and would have enabled up to 40 dwellings to be constructed. The application was submitted on 3 November 2015 but following some concerns from some statutory consultees appertaining to the scale of the development, the application was withdrawn on 5 April 2016.
- 1.6 A revised outline residential planning application is due to be submitted imminently for a much smaller development contained to the farmstead which we understand is more in keeping with the emerging Local Plan policy for residential development in Bratton Fleming. Should planning consent be secured, it is likely that it will take until 25 March 2018 to market the site for sale, secure a purchaser and complete the sale thus allowing the existing tenant to remain in occupation of the farmstead for a further 12 months is unlikely to cause any detriment to the County Council's capital receipts programme.
- 1.7 Furthermore, and although Pt OS 7200 is now unlikely to be included in the pending planning application for residential development of the farmstead, that field is likely to be required for associated accommodation works such as the

Sustainable Drainage System. It is therefore recommended this field be let with the farmstead on a short term basis only.

- 1.8 The tenant of Beara Down Farm has asked if he can continue farming the remaining bare land retained by the County Council in Bratton Fleming. The tenant has been a very good custodian of this land for many years and until all prospect of future short and long term development potential has been realised or exhausted, the County Council will continue to need a good agricultural occupier of it.

2.0 Land at Combefishacre Farm, Ipplepen

“that the 11.18 hectares or thereabouts of land at Combefishacre Farm, Ipplepen be advertised to let in internal competition between the tenants of Bulleigh Elms Farm, Ipplepen; Lomans Farm, Broadhempston; Fairfield Farm, Denbury; Coppa Dolla Farm, Denbury; Buckridge Farm, Denbury and Cobberton Farm, Dartington on a five year Farm Business Tenancy commencing 25 March 2017, subject to terms being agreed”.

- 2.1 At the County Farms Estate Committee meeting of 28 April 2016 members considered report BSS/16/06 and resolved under minute reference 5(a):

“that the 11.18 hectares or thereabouts of land at Combefishacre Farm, Ipplepen be advertised to let in internal competition between the tenants of Bulleigh Elms Farm, Ipplepen; Lomans Farm, Broadhempston; Fairfield Farm, Denbury; Coppa Dolla Farm, Denbury and Buckridge Farm, Denbury on a five year Farm Business Tenancy commencing 25 March 2017, subject to terms being agreed”.

- 2.2 Following the meeting held on 28 April 2016, the tenant of Cobberton Farm, Dartington expressed interest in having the same opportunity to compete to rent the land at Combefishacre. Although the land is further away from Cobberton Farm, compared to the farms initially identified in report BSS/16/06, if the tenant of Cobberton Farm considers the land would constitute a viable farming proposition, there exists no reason why he should not have the same chance to bid for the land as those existing tenants previously identified. It is therefore recommended that committee resolution 5 of 28 April 2016 be amended to include the tenant of Cobberton Farm, Dartington.

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.

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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, Head of Business Strategy and Support

Electoral Divisions:

Chulmleigh and Swimbridge; Teignbridge South

Local Government Act 1972: List of Background Papers

None

Who to contact for enquiries:

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Pollinators and Neonicotinoids

Report of the Head of Business Strategy and Support

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

Recommendation

That the County Farms Estate Committee advises Cabinet that:

- a) There is currently limited use of neonics on the County Farms Estate.
- b) A prohibition on new tenants using neonics would have limited benefit.
- c) Training opportunities for tenants on alternative means of pest control such as Integrated Pest Management Plans should be promoted.
- d) Tenants should be encouraged to sign up to the Devon Pollinator Pledge, which has been endorsed by the NFU.
- e) The Estate should be used to implement the positive actions set out in paragraph 4.6 of this report.

1. Introduction

- 1.1 The County Farms Estate Committee were asked by Cabinet to consider resolution 13 made at its meeting on 13 April 2016 in response to a report by Scrutiny Committee (PTE/16/3).
- 1.2 At the County Farms Estate Committee on 28 April 2016, it was agreed that a survey of tenants of the County Farms Estate would be undertaken to better understand the use of neonicotinoids on the Farms Estate. (PTE/16/22)
- 1.3 This report sets out the findings of the tenant's survey and a number of positive measures and initiatives for consideration.

2. Legal Implications

- 2.1 DCC as landlord are unable to alter the terms of existing Farm Business Tenancy Agreements or existing Agricultural Holdings Act 1986 tenancy agreements, and are therefore cannot currently impose a ban on the use of neonicotinoids for these tenants, unless this was by mutual agreement between the tenant and DCC as landlord.

3. Tenants Consultation

- 3.1 The short questionnaire attached at Appendix A was developed in consultation with Devon County Council's Ecologist who in turn consulted the NFU, Friends of the Earth and FWAG.
- 3.2 71 questionnaires were sent out to all occupiers of County Farm land.

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3.3 The summary results of the survey are:

36 questionnaires returned (51%), representing 4,459 acres (46%) of the Estate (The Farms Estate currently totals 9,619 acres). This represents 0.35% of the net farmable acreage in Devon (1,255,661 acres).

3.3.1 Those 36 tenants who responded farm a total of 5,654 acres with an additional 1,195 acres which is privately owned or rented.

In terms of impact, a voluntary or imposed ban on the use of neonics on the County Farms Estate would, on its own have little material effect. At only 9,619 acres in size (0.8% of Devon's net farmable area), the benefit would be extremely low.

3.3.2 Of the total 5,654 acres farmed, 4,488 acres (79%) is grassland where it is understood neonics are highly unlikely ever to be needed.

3.3.3 Of the total 5,654 acres farmed no oil seed rape is grown (where the likelihood of needing to use neonics and impact on pollinators is arguably highest)

3.3.4 Of the total 5,654 acres farmed 991 acres (17%) are used to grow maize, wheat, barley and winter forage crops where the need to use neonics may exist but where the questionnaire results indicate the majority of tenants (9 out of 14 or 64%) growing such crops are already using non-neonic means of pest control.

In terms of the maize, wheat barley and winter forage crops grown by County Farms Estate tenants responding to the survey, the total 991 acres recorded only represents 0.08 % of Devon's net farming acreage. Prohibiting the use of neonics on this area would arguably make no tangible difference in Devon.

3.3.5 Only 5 of 36 (14%) tenants responding to the questionnaire use neonic means of pest control.

3.3.6 Of the 5 tenants currently using neonics, only one said they would voluntarily cease using them. 4 of the 5 said they would not.

3.3.7 Of the 36 tenants who responded 21 (58%) said they would sign up to a voluntary suspension on the use of neonics but it should be noted that nearly all of those who said they would sign up to the voluntary initiative do not use neonics anyway.

3.3.8 Of the 36 tenants who responded 12 (33%) said they would be interested in a free training event on Pesticides and initiatives such as Integrated Pest Management Plans.

4. Conclusions

4.1 It is evident from the feedback obtained from the tenants questionnaire that the nature of the predominant cropping and use of the Estate would suggest that a significant majority of its tenants would never need to use neonics.

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- 4.2 DCC as landlord has no legal means to prevent the very low proportion of existing tenants who currently use neonics on wheat, barley, maize or winter forage crops, from doing so.
- 4.3 Whilst as landlord, DCC could impose a contractual ban on the use of neonics in all future Farm Business Tenancy's, the very limited use of neonics and the low number of new tenancies granted each year suggests that such action would result in a very small/negligible benefit.
- 4.4 Where new entrants take over a farm it is likely they will continue operating the holding under a similar cropping regime to that of the former tenant suggesting an increase in neonic use following change of tenancy is unlikely.
- 4.5 To seek to impose a ban on the use of otherwise legally available pesticides in all new FBT's is felt to be unnecessary.
- 4.6 However, there are beneficial measures that the Estate could facilitate to support pollinator numbers, diversity and habitat. Such initiatives should include:
- (i) Tenants be encouraged to sign up to the Devon Pollinators Pledge to:
 - (a) Plant bee-friendly flowers. Flowers (including on shrubs and trees) provide nectar and pollen.
 - (b) Create and protect meadows and other areas rich in wild flowers. In gardens sow an area with wildflower seed, leave it to flower and set seed before cutting.
 - (c) Leaving wild corners, dead wood, walls and grassy banks undisturbed over winter to provide shelter. Leave an area to grow wild and build a 'bug hotel' in your garden.
 - (d) Think carefully about whether to use pesticides especially where pollinators are active or nesting or where plants are in flower. Only use pesticides if absolutely necessary.
 - (e) Join up and learn more. Support one of the many conservation organisations campaigning for, and conserving, our wildlife in Devon.
 - (ii) Identify and promote and/or develop new best practice case studies demonstrating how the Estate is used to support pollinators.
 - (iii) Identify and promote training opportunities around alternative means of pest control such as Integrated Pest Management Plans
 - (iv) Promote voluntary measures such as those set out in the Campaign for the Farmed Environment
 - (v) Identify County Farms more likely to be eligible for the Countryside Stewardship Scheme (CSS) and discuss the merits of an application with the tenants, particularly in the two Facilitation Fund Project areas of the Avon Valley and Torridge Headwaters.
 - (vi) Identify and encourage good environmental management of County farms falling within a County Wildlife Site
 - (vii) Identify and promote the use of alternative non neonic pesticides used on maize, wheat, barley and winter forage crops.

5. Consultations/Representations/Technical Data

- 5.1 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.

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- 5.2 By invitation of the Farms Committee a representative of the NFU with specialist knowledge of neonics will be address the Committee at the next meeting.
- 5.3 Committee members may be aware of the current public campaign, led nationally by Friends of the Earth, supported by a range of other organisations, relating to pollinators and neonics. On 12 April a petition relating to this campaign was presented to DCC calling on it to ban the use of neonics on its property.
- 5.4 There has been no formal consultation undertaken by DCC in relation to its approach to pollinators and neonics. However, there has been some informal discussion with a range of organisations and other local authorities to gather information to inform this Authority's consideration of the issue and its planned production of a Pollinators Action Plan.
- 5.5 No other parties have been consulted and no other representations for or against the proposal have been received.

6. Considerations

- 6.1 Sustainability issues are being considered at a national (and EU) level in relation to the impacts of neonics and the need for any further regulatory control over their use. In 2014, Defra published a National Pollinator Strategy, setting out collective approaches in support of bees and other pollinators in England.
- 6.2 The author is not aware of any financial, carbon impact, equality, legal, risk management or public health issues arising from the recommendations in this report.

7. Reason for Recommendation/Conclusion

- 7.1 The Author has prepared this report in accordance with the County Farms Estate Strategic Review (2010) and the requirement to take forward Cabinet recommendations (see Section 1 above).

Rob Parkhouse
Head of Business Strategy and Support Services

Electoral Divisions: All

[Local Government Act 1972: List of Background Papers](#)

Contact for enquiries: Dan Meek, NPS SW Ltd

Tel No: 01392 351066

Background Paper	Date	File Ref.
1. Cabinet Notice of Motion: Protection of the Bee Population http://democracy.devon.gov.uk/CeListDocuments.aspx?MID=620&RD=Agenda&DF=13%2f01%2f2016&A=0&R=0	13 January 2016	PTE/16/3
2. Pollinators and Neonicotinoids http://democracy.devon.gov.uk/ieListDocuments.aspx?CId=163&MId=275&Ver=4	28 April 2016	PTE/16/22

**NEONICOTINOID PESTICIDE USE AND INFORMATION REQUIRED TO ASSESS
POTENTIAL ANAEROBIC DIGESTION FEASIBILITY**

The County Council is currently producing a Pollinator's Action Plan setting out how Council activities (including the County Farms Estate) support the conservation of bees and other pollinators. As part of this the Council has been asked, where possible, to prohibit the use of neonicotinoid pesticides (which some commentators believe is having a harmful effect on pollinators including bees) on land that the Council manages. This request will be easy over much of the DCC Estate. However the Council appreciates that the situation regards the County Farms Estate is complex and that **further information is needed on their use across the Farms Estate BEFORE existing tenants may be asked to sign up to a VOLUNTARY CODE agreeing to not use any neonic pesticides.** The Council has therefore asked us to undertake this quick survey to understand how neonics are used on our CFE.

1. How many acres do you farm? acres

- > Devon County Council rented land
- > Other rented land (AHA '86 tenancies and FBT's)
- > Grazing/cropping licences
- > Owned land
- > Total

2. What is your typical cropping pattern? acres

- > Permanent Pasture
- > Temporary Pasture
- > Wheat
- > Barley
- > Maize
- > Forage crop (Rape, kale, beat & stubble turnip type mixes)
- > Other

3. What is your current total number of livestock? Head

- > Dairy cows
- > Dairy young stock (0 - 12 months)
- > Dairy young stock (12 - 24 months)
- > Suckler cows
- > Beef cattle (0 - 12 months)
- > Beef cattle (12 - 24 months)
- > Sheep (ewe flock only)
- > Other (Please specify:)
- > Other (Please specify:)

4. In terms of pest control, do you , or your contractor/agronomist use any of the pesticides listed on the back of this questionnaire which all contain Neonicotinoids? Please put a x in each box on reverse.

Yes/no

5. If you answered yes to qu. 4 above, then is it because they are:

(a) More effective than other Pesticides? Yes/no

(b) More cost effective than other Pesticides? Yes/no

6. Did you previously use any of the Neonic Pesticides that are now restricted by the EU?

Yes/no

If yes, then has this restriction caused any problems ie less effective pest control, lower yields, enforced change in farming system?

Please specify how:

7. Would you be interested in a FREE training event on Pesticides and initiatives such as Integrated Pest Management Plans?

Yes/no

8. Would you be willing to sign up to a VOLUNTARY suspension on the use of ALL Neonicotinoid Pesticides on all crops on all County Council leased land?

Yes/no

The information you are being asked to supply may be subject to the Data Protection Act 1998. It will be held by NPS South West Ltd and Devon County Council and be used by us for considering the extent of Neonicotinoid Pesticide Use on the Estate and to refresh data held that may inform whether or not Anaerobic Digestion is a viable renewable energy opportunity anywhere on the Estate. If we want to use the information for any other purpose, we will not do so without your express prior written consent. The information will be stored securely while you remain a tenant on the Estate after which it will be destroyed. The information specifically relating to your farm will not be disclosed to any other party without your express prior written consent although the information will be collated and merged with information provided by other tenants to produce Estate wide reports which may be made publicly available.

