

FARMS ESTATE COMMITTEE

9 September 2019

Present:

County Councillors

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

Co-opted Members

L Warner (Tenants' representative)

Apologies

H Bellew (Devon Federation of Young Farmers)

* **94** **Minutes**

RESOLVED that the minutes of the meeting held on 20 May 2019 be signed as a correct record.

* **95** **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

* **96** **Announcements**

The Chair reported that the Co-opted Member, H Bellew, representing the Devon Federation of Young Farmers would, if she was unable to attend a future Committee meeting, relay any comments on any future agenda item to Members of the Committee or to Mr D Meek of NPS South West Ltd, either verbally or in writing, who would relay any such comments to the relevant Committee meeting.

* **97** **Revenue Monitoring (Month 4) 2019/20**

The Committee received the Report of the County Treasurer (CT/19/78) on the County Farms Estate Revenue Monitoring (Month 4) 2019/20, noting the increased target surplus of £464,000 and providing a summary of the annual budget and detailing income and expenditure to date.

* **98** **Capital Monitoring (Month 4) 2019/20**

The Committee received the Report of the County Treasurer (CT/19/79) on the county Farms Estate Month 4 Capital Monitoring Statement for 2019/20, noting that the approved capital programme for 2019/20 included schemes totalling £600,000 and with scheme slippage of £558,337 resulted in a capital programme for 2019/20 of £1,158,337.

* **99** **The County Farms Estate Annual Report 2018/19**

The Committee received the Report of the County Treasurer (CT/19/80) incorporating the 28th Annual Report of the County Farms Estate. It was noted that in paragraph 3.8.1 of the Report the figure in the first line should have read £2,700,644 and not £2,398,000.

The Annual Report 2018/19 covered the Committee's functions, financial performance and Estate management performance, and highlighted notable Estate achievements and events.

Members raised concern at the diminishing size of the County Farms Estate, however it was stated that opportunities to purchase suitable replacement land were always explored.

* **100** **Management and Restructuring Issues**

The Committee considered the Report of the Head of Digital Transformation and Business Support (BSS/19/06) on the County Farms Estate management and restructuring issues.

Lomans Farm, Broadhempston

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

RESOLVED

- (a) that OS 2000 and Part OS 2800 forming part Lomans Farm, Broadhempston and amounting to 0.88 acres or thereabouts be declared permanently surplus to the requirements of the Estate so that it can be sold on the open market; and
- (b) that Lomans Farm, Broadhempston be advertised to let on the open market to a new entrant as a mixed livestock starter farm for a term of seven years commencing 25 March 2021 and expiring 25 March 2028, subject to terms being agreed.

[Note: In accordance with Standing Order 32(4) Councillor Dewhirst requested that his abstention from the vote be recorded.]

Lower Farm, High Bickington

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

RESOLVED

- (a) that the current tenant of Lower Farm, High Bickington be invited to surrender from his lease the barn and part NG 7235 extending to 0.12 acres or thereabouts as soon as possible; and
- (b) the barn and part NG 7235 forming part Lower Farm, High Bickington and amounting to 0.12 acres or thereabouts be declared permanently surplus to the requirements of the Estate so that it can be sold on the open market.

[Note: In accordance with Standing Order 32(4) Councillor Dewhirst requested that his abstention from the vote be recorded.]

Cordwents Farm, Halberton

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

RESOLVED that part NG 3881 forming part of Cordwents Farm, Halberton and amounting to 0.14 acres or thereabouts be declared permanently surplus to the requirements of the Estate so that it can be sold on a subject to contract and planning basis on the open market.

[Note: In accordance with Standing Order 32(4) Councillor Whitton requested that her abstention from the vote be recorded.]

* **101** **Devon's Climate Emergency and Green Action Plan**

The Committee considered the Report of the Head of Digital Transformation and Business Support (BSS/19/07) on Devon's Climate Emergency and Green Action Plan.

The Council at its meeting on 25 July 2019 (Minute 221) endorsed the principle of further action to address environmental issues in line with the global concerns highlighted through relevant intergovernmental panels; and mandated the Environmental Performance Board to consider how relevant issues raised by the proposed Green Action Plan might be addressed through changes or additional to its own suite of action plans.

Members noted that the County Farms Estate had been identified as a valuable land resource that could and hopefully would play an instrumental role in supporting the Council delivering its Climate Emergency objectives.

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

RESOLVED that the proposed new actions linked to the principal themes promoted by the '10 Point Green Action Plan' or otherwise linked to the Devon Climate Emergency be endorsed.

* **102** **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.

* **103** **Holdings and Tenancies etc.**

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

* (a) **Requests for Landlord's consent**

The Committee considered the Report of the Head of Digital Transformation and Business Support (BSS/19/08) on the requests for landlord's consent for tenants' improvements.

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

RESOLVED that landlord's consent be granted:

- (i) for the tenant of Lower Alminstone Farm, Woolserly to construct a 100' x 52' or thereabouts and 13' to eaves painted or galvanised steel portal framed livestock building, complete with corrugated fibre cement roof cladding, rain water goods, concrete dung walls with Yorkshire board cladding over to side elevations and part gable ends, electric and water supplies, subject to the improvement being written down in value to £100 on a straight line basis over a life expectancy of 20 years if painted steels are used or 25 years if the steel work is galvanised; and
- (ii) for the tenant of Kerswill Farm, South Brent to demolish and clear away the landlord's redundant Atcost building (building R) and two tenants lean-to buildings (buildings Q and S) and replace the buildings with a 50' x 75' x 16' to eaves painted or galvanised steel portal frame youngstock building with roof pitch of 12.5 degrees, covered in corrugated fibre cement (10% roof lights), rainwater goods, concrete panel dung walling to 6' high and Yorkshire board cladding over to rear gable end and north elevation subject to the improvement being written down in value to £100 on a straight line basis over a life expectancy of 20 years if painted steels are used or 25 years if the steel work is galvanised.

* (b) **Higher Artiscombe Farm, Gulworthy**

The Committee received the Report of the Head of Digital Transformation and Business Support (BSS/18/09) relating to Higher Artiscombe Farm, Gulworthy.

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

RESOLVED that the Committee attend a site visit to Higher Artiscombe Farm, Gulworthy before considering a formal recommendation at the next Committee meeting on 9 December 2019.

* (c) **Southcott Farm, Okehampton**

The Committee received the Report of the Head of Digital Transformation and Business Support (BSS/18/10) relating to Southcott Farm, Okehampton

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

RESOLVED

- (i) that the incontestable Case D Notice to Quit served in accordance with the Agricultural Holdings Act 1986 on the tenant of Southcott Farm, Okehampton for failing to comply with a Notice to Pay previously served on the tenant in the prescribed format be upheld and enforced;
- (ii) that a potential early surrender by the tenant of Southcott Farm, Okehampton of a Farm Business Tenancy of an additional block of 69.84 acres or thereabouts of bare land that he also rents from the County Council be accepted; and
- (iii) that the advertisement of Southcott Farm, Okehampton to let on the open market on a seven year Farm Business Tenancy commencing 25 March 2021 and terminating 25 March 2028, subject to terms being agreed, be endorsed.

* (d) **Perriton Barton Farm, Whimple**

The Committee received the Report of the Head of Digital Transformation and Business Support (BSS/19/11) relating to Perriton Barton Farm, Whimple.

It was noted that the Tenants' representative raised concern at whether the proposal represented the best value for such agricultural land, however, it was stated that the positioning of the equipment at height could allow continued use of the land.

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

RESOLVED that possession of NG 0006, 1400, 2671 and part 2164 amounting to 22.34 acres or thereabouts of land be secured at the earliest possible opportunity in order that:

- (i) an option agreement be entered into with a Solar Farm Developer; and
- (ii) lease terms be negotiated and agreed with a Solar Farm Developer, on a subject to contract and planning basis, provided that the revenue generated by the proposed Solar Farm lease be retained by the County Farms Estate

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

The Meeting started at 2.00 pm and finished at 3.19 pm