

FARMS ESTATE COMMITTEE

24 February 2020

Present:

County Councillors

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

Co-opted Members

Mrs L Warner (Tenants' representative)

Apologies

Councillors A Dewhirst

* **115** **Minutes**

RESOLVED that the minutes of the meeting held on 9 December 2019 be signed as a correct record.

* **116** **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

* **117** **Chair's Announcements**

- (a) Mr Hipkin was welcomed to the meeting who was attending in his capacity as a Co-opted Member of the Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework; and
- (b) two successful events had taken place in January – the Exmoor Hill Farmers Network event, 'An Introduction to Farm Tenancy Applications and Lettings and Business Plans for Tenants and Farmers'; and the Duchy College mock viewing day held at Buckridge Farm, Denbury with the kind permission of Estate tenants Mr and Mrs T Blaber, and subsequent mock interviews held at the Devon YFC Centre, both supported by the County Farms Estate Land Agents.

* **118** **Revenue Monitoring (Month 10) 2019/20**

The Committee received the Report of the County Treasurer (CT/20/33) on the County Farms Estate Revenue Monitoring (Month 10) 2019/20, providing a summary of the annual budget and detailing income and expenditure to date.

It was noted that although expenditure had increased by £180,000 compared to the month 7 report, the Estate was still forecast to achieve the target surplus.

* **119** **Capital Monitoring (Month 10) 2019/20**

The Committee received the Report of the County Treasurer (CT/20/32) on the County Farms Estate Month 10 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.

It was noted that the balance of the 2019/20 budget of £409,334 would not be spent in year on Nitrate Vulnerable Zone Compliant schemes and may be deployed to enable more farmhouse renovation and improvement schemes to be carried out before year end.

* **120** **The County Farms Estate - Campaign to Protect Rural England (CPRE) Report 'Reviving County Farms'**

The Committee received the Report of the Head of Digital Transformation and Business Support (BSS/20/01) which had appended to it the CPRE Report 'Reviving County Farms' that had been published in December 2019.

The CPRE Report highlighted in particular that the size of England's County Farms Estate had fallen by over 15,000 acres between 2010 and 2018, with almost 60% of County Farm land sold since 2010 being sold in the last two years.

Members noted the CPRE report which was very much in keeping with the aims and objectives of the existing Estate Strategic Review Report of March 2010.

* **121** **The County Farms Estate - National Farmers' Union (NFU) Report 'Achieving Net Zero, Farming's 2040 Goal'**

The Committee noted the Report of the Head of Digital Transformation and Business Support (BSS/20/02) which had appended to it the NFU Report 'Achieving Net Zero, Farming's 2040 Goal'.

The NFU Report highlighted that emissions from UK farms presently amounted to 45.6 million tonnes of CO₂ equivalent a year, around one tenth of UK greenhouse gas emissions but, in stark contrast to the rest of the economy, only 10% of this was CO₂ with around 40% being nitrous dioxide and 50% methane.

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

RESOLVED

(a) that the Land Agents be invited to explore options for the County Farms Estate and its tenant farmers to work towards achieving Net Zero greenhouse gas emissions;

(b) that the County Farms Estate volunteer as a research and development resource and as part of a potential network of demonstration farms; and

(c) that consideration be given to identifying the carbon sequestration capacity of the County Farm Estate key existing environmental features and in particular its soils.

* **122** **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.

* **123** **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)

(Councillor Chugg declared a pecuniary interest in this item and withdrew from the meeting during its consideration.)

* **a Request for Extension of Tenancy and Landlord's consent for Improvement**

(The tenant of Chapel Farm, Marwood attended to speak to this item at the invitation of the Committee.)

The Committee considered the Report of the head of Digital Transformation and Business Support (BSS/20/03) on a request for extension of tenancy.

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

RESOLVED

- (i) that the tenant of Chapel Farm, Marwood be invited to surrender his interest in the holding at 25 March 2020 so that he can be granted a new Farm Business Tenancy of the same holding for a longer term of 13 years expiring 25 March 2033, subject to terms being agreed;
- (ii) that, given the size of the holding and transparent nature of the original open market letting, there existed scope within current policy to consider Chapel Farm, Marwood a progression farm allowing the tenant to grow and expand his business on the Estate without the need to move holdings; and
- (iii) that landlord's consent be granted for the tenant of Chapel Farm, Marwood to construct four adjoining 40' x 90' x 21' to eaves painted or galvanised steel portal framed covered silage clamps, complete with corrugated fibre cement roof cladding, rain water goods, concrete floor slab, concrete panel walls, drainage and effluent tanks (all designed in accordance with CIRIA Guidance, the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations 2020 and BS5502 Part 22 1993), 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 Management and Restructuring Issues**

The Committee considered the Report of the Head of Digital Transformation and Business Support (BSS/20/04) on management and restructuring issues.

(a) **Bulleigh Elms Farm, Ipplepen**

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

RESOLVED that should the tenant of Bulleigh Elms Farm, Ipplepen surrender his Agricultural Holdings Act 1986 tenancy of the main holding and his Farm Business Tenancy of part Combefishace Farm on 25 March 2020:

- (i) the proposed surrender be accepted;
- (ii) a tenancy of Bulleigh Elms Farm, Ipplepen comprising the house, buildings and 220.02 acres or thereabouts of land be simultaneously re-granted to the current tenant of the holding on a new Farm Business Tenancy for a term commencing 25 March 2020 and terminating 25 March 2021, subject to terms being agreed;

- (iii) vacant possession of Bulleigh Elms Farm, Ipplepen be secured at 25 March 2021; and
- (iv) the farmhouse, buildings and 2220.02 acres or thereabouts of land at Bulleigh Elms Farm, Ipplepen be advertised to let as an equipped residential progression dairy farm in internal competition between existing tenants of the Estate and on a Farm Business Tenancy for a term of up to 15 years commencing 25 March 2021 and expiring 25 March 2036, subject to terms being agreed.

(b) **Lower Pilehayes Farm, Woodbury**

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

RESOLVED that, should the tenant of Lower Pilehayes Farm, Woodbury surrender his Agricultural Holdings Act 1986 tenancy of the holding on 29 September 2020, then:

- (i) the proposed surrender be accepted;
- (ii) vacant possession of Lower Pilehayes Farm, Woodbury be secured at 29 September 2020;
- (iii) the farmhouse, buildings and 106.94 acres or thereabouts of land at Lower Pilehayes Farm, Woodbury be advertised to let as an equipped residential starter farm on the open market and on a Farm Business Tenancy commencing 29 September 2020 and expiring 25 March 2028, subject to terms being agreed; and
- (iv) the barns and 2.83 acres or thereabouts of land forming NG 4554, 5054 and 5555 be declared permanently surplus to the operational requirements of the Estate and sold on the open market.

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

The Meeting started at 2.15 pm and finished at 3.38 pm

1. The Minutes of this Committee are published on the County Council's Website.
2. These Minutes should be read in association with any Reports or documents referred to therein, for a complete record.
3. Members of the Council have been granted a dispensation to allow them to speak and vote in any debate as a consequence of being a representative of the County Council on any County Council wholly owned, controlled or joint local authority company or Joint Venture Partnership unless the matter under consideration relates to any personal remuneration or involvement therein.