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To: The Chair and Members of the Farms Estate

Committee

County Hall Topsham Road Exeter

Devon EX2 4QD

Date: 11 September 2020 Contact: Wendy Simpson, 01392 384383

Email: wendy.simpson@devon.gov.uk

FARMS ESTATE COMMITTEE

Monday, 21st September, 2020

A meeting of the Farms Estate Committee is to be held on the above date at 2.15 pm to consider the matters below. This will be a Virtual Meeting. For the joining instructions please contact the Clerk for further details on attendance and/or public participation.

Phil Norrey Chief Executive

AGENDA

PART I - OPEN COMMITTEE

- 1 Apologies for Absence
- 2 Minutes

Minutes of the meetings held on 24 February 2020, 27 July 2020 and 10 August 2020 (previously circulated).

3 <u>Items Requiring Urgent Attention</u>

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

MATTERS FOR DECISION

4 Revenue Monitoring (Final Outturn) 2019/20, Revenue Budget 2020/21 and Revenue Monitoring (Month 5) 2020/21 (Pages 1 - 6)

Report of the County Treasurer (CT/20/73), attached.

Electoral Divisions(s): All Divisions

5 <u>Capital Monitoring (Final Outturn) 2019/20, Capital Budget 2020/21 and Capital Monitoring (Month 5) 2020/21 (Pages 7 - 10)</u>

Report of the County Treasurer (CT/20/71), attached.

Electoral Divisions(s): All Divisions

6 The County Farms Estate Annual Report 2019/20 (Pages 11 - 24)

Report of the County Treasurer (CT/20/72), attached.

Electoral Divisions(s): All Divisions

7 Management and Restructuring Issues (Pages 25 - 28)

Report of the Head of Digital Transformation and Business Support (BSS/20/02), attached.

Electoral Divisions(s): Creedy, Taw & Mid Exe; Dawlish; Willand & Uffculme

8 <u>Collaboration with North Devon UNESCO Biosphere Reserve Partnership</u> (Pages 29 - 32)

Report of the Head of Digital Transformation and Business Support (BSS/20/04), attached.

Electoral Divisions(s): All Divisions

<u>PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF PRESS AND PUBLIC</u>

9 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

10 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)

- a Request for Landlord's Consent (Pages 33 36)

 Report of the Head of Digital Transformation and Business Support (BSS/20/03), attached.
- Monitoring of Tenants on Initial Farm Business Tenancy (Pages 37 74)

 Report of the Head of Digital Transformation and Business Support (BSS/20/05), attached.

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). They need to be disposed of carefully and should be returned to the Democratic Services Officer at the conclusion of the meeting for disposal.

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It is to be noted that Members of the Council 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.

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Induction Loop available



CT/20/73 Farms Estate Committee 21 September 2020

The County Farms Estate

Revenue Monitoring (Final Outturn) 2019/20, Revenue Budget 2020/21, and Revenue Monitoring (Month 5) 2020/21

Report of the County Treasurer

1 Revenue Monitoring (Final Outturn) 2019/20

- 1.1 The Revenue Budget presented to Corporate Infrastructure and Regulatory Services Scrutiny Committee on 29 January 2019 and approved at County Council on 21 February 2019 included an increased target surplus of £464,000 for the County Farms Estate.
- 1.2 Appendix A provides a summary of the annual budget and the year-end outturn alongside four previous years outturns so that a year on year comparison of performance can be made.
- 1.3 Rent invoiced by year end amounted to £1,148,703 and other income (easement and wayleave payments, licence fees, telecommunication mast site rents etc) accrued by year end amounted to £27,434.
- 1.4 The month 10 monitoring position was reported to the Farms Estate Committee at its meeting of 24 February 2020 (CT/20/31 refers). At year end there has been significant expenditure to report compared to the level of actual expenditure reported at month 10.
- 1.5 Many of the Tenant Right Valuation accruals from the previous year had been paid or offset as claims were settled. Some significant new Tenant Right Valuation payments had been made or accrued for liabilities falling due before 31 March 2020. The total expenditure on end of tenancy compensation payments to tenants amounted to £86,727.
- 1.6 £86,189 worth of unforeseen repair works ordered in 2019/20 were either paid or accrued for works substantially complete at year end.
- 1.7 £152,856 worth of programmed repair and maintenance works ordered in 2019/20 were either paid or accrued for works substantially complete at year end.
- 1.8 £4,129 was invested in quinquennial condition surveys in year to inform future maintenance programmes.

- 1.9 £7,658 has been spent on servicing and testing landlords equipment (electrical systems, gas and oil fired boilers, private water systems, sewage treatment plants etc) at year end.
- 1.10 £100,636 building maintenance (other) works were completed by year end. This comprised a number of health and safety improvements, asbestos removal and redundant building demolition. No Land Agent Initiative investments in improved infrastructure were carried out.
- 1.11 £10,129 was spent on roadside tree inspections and subsequent tree surgery works by year end.
- 1.12 Expenditure on NPS fees was £223,060. This includes the management of the Estate, co-ordinating and running Farmwise at the County Show and the October event, co-ordinating the Tenants Training Academy, procuring all programme and unforeseen maintenance, service term contracts, asbestos, health and safety and redundant building works.
- 1.13 The final outturn provides a net surplus of £464,043 compared to the target surplus of £464,000.

2 Revenue Budget 2020/21

- 2.1 The Revenue Budget presented to Corporate Infrastructure and Regulatory Services Scrutiny Committee on 28 January 2020 and approved at County Council on 20 February 2020 included a target surplus of £464,000 for the County Farms Estate.
- 2.2 Appendix B provides a summary of the annual budget.

3 Revenue Monitoring for the period 1 April 2020 to 31 August 2020

- 3.1 Appendix B provides details of income and expenditure to date.
- As at month 5 the total net expenditure shown in the summary accounts amounts to just £4,000. However, this figure is generated after prior year accruals of £75,000 have been credited. In year expenditure is therefore at least £79,000.
- 3.3 Minimal income has been invoiced so far this year. Most rent is paid in arrears with the first payments due at the end of month 6 and the balance to be invoiced at the end of month 12.
- 3.4 Three Tenant Right Valuation accruals are still not yet capable of being released as the end of tenancy valuations are not concluded.
- £9,172 worth of unforeseen repair works has been ordered and paid in 2020/21. In addition, a further £6,456 of unforeseen works has

- been ordered but not invoiced. Total unforeseen maintenance expenditure and commitment at month 5 is therefore £15,628. The year-end forecast remains £100,000, as per budget.
- 3.6 The revenue funded maintenance programme has been set with both the budget and forecast of £210,000 fully allocated to proposed works based on initial cost estimates provided for each scheme. £5,955 worth of programmed works has been ordered and paid in 2020/21. A further £111,504 worth of works had been ordered at month 5 but not yet completed. Total programmed maintenance expenditure and commitment at month 5 is therefore £117,459.
- 3.7 At month 5 £1,713 worth of works to redundant buildings, asbestos removal and health and safety improvements had been ordered and paid in 2020/21. Further work is currently being procured. The yearend forecast remains £61,000, as per budget.
- 3.8 Approximately £1,321 worth of testing and inspection works (service term contracts for private water supplies, boilers, fixed wiring systems, sewage treatment plants, radon fans etc) had been paid at month 5 and a further £13,084 worth of works ordered.
- 3.9 The programmed tree survey work is currently being carried out and all or any recommended tree surgery work will be programmed for the forthcoming winter months. It is anticipated the ground maintenance budget will be fully committed.
- 3.10 10 quinquennial farm condition surveys have been commissioned. It is anticipated the building maintenance surveys budget will be fully committed.
- 3.11 It is currently anticipated that the forecast year end level of income and expenditure will be achieved, and the target surplus delivered, albeit there may be some fluctuations within income and expenditure items.

4 Options/Alternatives

4.1 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.

5 <u>Consultations/Representations/Technical Data</u>

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.

- 5.2 No other parties have been consulted and no other representations for or against the proposal have been received.
- 5.3 The technical data is believed to be true and accurate.

6 Considerations

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

7 Summary/Conclusions/Reasons for Recommendations

7.1 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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Appendix A

COUNTY FARMS ESTATE - FINANCIAL REPORTS FINANCIAL STATEMENT - FINAL OUTTURN 2019/20

INCOME Rent Other	TOTAL INCOME	2019/20 ANNUAL TARGET £'000 (1,124) (40) (1,164)	2019/20 OUTTURN £'000 (1,149) (27) (1,176)	2018/19 OUTTURN £'000 (1,075) (33) (1,108)	2017/18 OUTTURN £'000 (1,055) (43) (1,098)	2016/17 OUTTURN £'000 (1,094) (34) (1,128)	2015/16 OUTTURN £'000 (965) (42) (1,007)
EXPENDITURE STATUTORY COSTS Tenant Right Valuation		20	87	25	114	102	55
renant Right Valuation	SUB - TOTAL	20	87	25	114	102	55
	332 131712		<u> </u>	20		102	
PREMISES COSTS		100	86	80	81	145	115
Building Maintenance - unforseen Building Maintenance - programme	d	210	153	242	228	145	115
Building Maintenance - Surveys	·u	10	4	11	2	1	0
Building Maintenance - STC		20	8	18	7	12	17
Building Maintenance - other (incl.	land agents						
initiatives, redundant buildings, ask	estos and health &	61	101	11	7	8	18
safety) Grounds Maintenance		10	10	7	2	7	11
Rents & other landlord charges		14	11	, 14	2 14	7 14	14
Rates, Electricity and Water Charge	es	6	15	10	3	0	8
	SUB - TOTAL	431	388	393	344	377	309
SUPPLIES & SERVICES							
Insurance		0	0	0	0	0	0
Adverts		2	1	6	3	4	3
NPS Fees		230	223	264	235	235	258
Legal Fees		4	1	1	(1)	(1)	8
Professional Fees		6	10	3	7	1	8
Other Fees & Charges (DFYF, SHI	•	7	2	4	2	21	41
	SUB - TOTAL	249	237	278	246	260	318
TOTAL EXPENDIT	URE	700	712	696	704	739	682
Revenue Funded Restructuring		0	0	0	0	0	0
NET OPERATIONAL (SURPLUS)/	DEFICIT	(464)	(464)	(412)	(394)	(389)	(325)

APPENDIX B

COUNTY FARMS ESTATE - FINANCIAL REPORTS FINANCIAL STATEMENT - (MONTH 5) 2020-21

INCOME EXPENDITU	STATUTORY COSTS Tenant Right Valuation	YEAR TO DATE £'000 (16) (13) (29)	ANNUAL TARGET £'000 (1,124) (40) (1,164)	CURRENT FORECAST £'000 (1,124) (40) (1,164)
	PREMISES COSTS Building Maintenance - Unforseen Building Maintenance - Programmed Building Maintenance - Surveys Building Maintenance - STC Building Maintenance - Other (incl. Land Agents Initiatives, Redundant Buildings, Asbestos and Health and Safety) Grounds Maintenance Rents and Other Landlord Charges Rates, Electricity and Water Charges SUB - TOTAL	(28) 8 (13) 0 1 (34) 0 5 (33)	100 210 10 20 61 10 14 6 431	100 210 10 20 61 10 14 6 431
	SUPPLIES & SERVICES Insurance Adverts NPS Fees Legal Fees Professional Fees Other Fees and Charges (DFYF, SHLAA, GPDO) SUB - TOTAL TOTAL EXPENDITURE	0 0 68 0 (3) 0 65	0 2 230 4 6 7 249	0 2 230 4 6 7 249
	NET OPERATIONAL (SURPLUS) FARM IMPROVEMENTS inclusive of fees Revenue funded Restructuring (BM other)	0	0	0
	SUB - TOTAL	0	0	0

CT/20/71 Farms Estate Committee 21 September 2020

The County Farms Estate

Capital Monitoring (Final Outturn) 2019/20, Capital Budget 2020/21, and Capital Monitoring (month 5) 2020/21.

Report of the County Treasurer

1 Capital Monitoring (Final Outturn) 2019/20

- 1.1 The Capital budget presented to Corporate Infrastructure and Regulatory Services Scrutiny Committee on 29 January 2019 and approved at County Council on 21 February 2019 included schemes totalling £600,000.
- 1.2 Added to this was slippage from the 2018/19 budget of £558,337 taking the total capital budget for 2019/20 to £1,158,337.
- 1.3 The month 10 monitoring position was reported to the Farms Estate Committee at its meeting of 24 February 2020 (CT/20/32 refers).
- 1.4 Total spend in 2019/20 amounted to £1,189,225 resulting in an overspend of £30,888.
- 1.5 There were a number of schemes completed in 2019/20 with some over or under spend due to variations between estimates and actuals, or minor contract variances post scheme approval. These were largely self-balancing and as such required no further action.

2 Nitrate Vulnerable Zone Compliance

- 2.1 In 2019/20 £4,076 was spent on design and planning fees for a proposed new slurry storage facility.
- 3 Compensation Payments (Tenants Improvements etc...)
- 3.1 All landlord end of tenancy compensation liabilities arising in year have been provided for from within the revenue budget. No capital expenditure has thus been incurred.

4 Enhancements and Improvements

4.1 In 2019/20 £1,185,148 was spent on eight farmhouse refurbishment and improvement projects either started and/or completed in year. In addition, eight septic tanks were replaced with sewage treatment plants in year. The expenditure also includes retention monies

released and paid to contractors who completed schemes in the previous year.

5 **Land Acquisitions**

5.1 No land purchases were made in 2019/20.

6 Capital Budget 2020/21

- The Capital budget presented to Corporate Infrastructure and Regulatory Services Scrutiny Committee on 28 January 2020 and approved at County Council on 20 February 2020 included schemes totalling £600,000.
- There was an 'overspend' of £30,888 in 2019/20 thus the balance of capital available to spend in 2020/21 amounts to £569,112.

7 Capital Monitoring for the period 1 April 2020 to 31 August 2020

7.1 As at month 5 there is minimal actual expenditure to report. This is largely due to Covid-19 lockdown restrictions putting a stop to some works on site earlier this year and disrupting the design and tender programme for new schemes due to start this year. some new schemes have however now commenced on site with further works due to start and finish before year end.

8. Nitrate Vulnerable Zone Compliance

- 8.1 Currently one new tin tank slurry store has been designed, specified and tendered. Contractors are now on site and it is hoped work will be complete before winter sets in. In addition, retention monies on previously completed stores remain to be paid.
- 8.2 Forecast spend stands at £329,412 on NVZ compliant schemes for 2020/21.

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

9.1 Forecast spend currently stands at nil, but this excludes any liability that may fall due in year or at 25 March 2021.

10. Enhancements and Improvements

10.1 Forecast spend currently stands at £239,700 in total. The 2020/21 capital programme is behind schedule due to movement and working restrictions imposed through Covid-19 emergency powers, but the programme is now being developed at pace.

11. Land Acquisitions

11.1 Currently one land acquisition opportunity is being explored for which additional capital funding is being requested.

12. **Options/Alternatives**

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

13. Consultations/Representations/Technical Data

- 13.1 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.
- 13.2 No other parties have been consulted and no other representations for or against the proposal have been received.
- 13.3 The technical data is believed to be true and accurate.

14. Considerations

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

15. Summary/Conclusions/Reasons for Recommendations

15.1 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,

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Name: Lisa Beynon, Head Accountant for Corporate Services, County

Treasurer's, County Hall, Exeter

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

CT/20/72 Farms Estate Committee 21 September 2020

The County Farms Estate – Annual Report 2019/20 Report of the County Treasurer

1 Background/Introduction

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

2 <u>Meetings and other activities of the Farms Estate Committee</u> 2019/20

- 2.1 The Farms Estate Committee met on 20 May, 9 September and 9 December 2019 and 24 February 2020. In addition to the usual financial and management matters other issues discussed by the Committee included:
 - Annual Report 2018/19
 - Monitoring of tenants on initial Farm Business Tenancies
 - Requests for extensions of tenancy
 - Requests for Landlord's consent for Tenant's Improvements
 - Climate emergency and action plan
 - CPRE Report Reviving County Farms
 - NFU Report Achieving Net Zero Farming's 2040 Goal
- 2.2 An interview panel met on one occasion during the year to interview tenants for Merryfield Farm, Holsworthy.
- 2.3 The Chairman, Vice Chairman and the Senior Land Agent also visited the Parishes of Milton Abbot, Dawlish, Marwood and Yarnscombe to undertake tenant's monitoring visits.

3 Finance

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

3.2 The Estate revenue budget outturn statement for the year ending 31 March 2020 is appended (Appendix A). Details of some of the key result areas for the three previous trading years have been included to offer some form of trend comparator analysis.

3.3 Revenue Income

- 3.3.1 Rental income from the Estate in 2019/20 was £1,148,703 compared with a target of £1,124,000.
- 3.3.2 Miscellaneous income totalled £27,434 compared with a target of £40,000.
- 3.3.3 Therefore total income secured was £1,176,137 against a target of £1,164,000.

Revenue	2016/17	2017/18	2018/19	2019/20
Income				
Rental	£1,093,939	£1,055,448	£1,075,411	£1,148,703
Miscellaneous	£34,458	£42,505	£33,275	£27,434
Total	£1,128,397	£1,097,953	£1,108,686	£1,176,137

Revenue Income Analysis	2016/17	2017/18	2018/19	2019/20
Actual	£1,128,397	£1,097,953	£1,108,686	£1,176,137
(a) Per Farm	£16,354	£16,146	£17,056	£18,094
(b) Per Hectare	£291	£283	£287	£304
(c) As a % of	105%	101%	99.5%	101%
Target				

3.4 Revenue Expenditure

- 3.4.1 The target spend for 2019/20 on programme and unforeseen repairs and maintenance was £310,000 of which 68% (£210,000) was planned and 32% (£100,000) was unforeseen.
- 3.4.2 There was an overall actual spend of £239,045 on repair and maintenance of which 64% (£152,856) was planned maintenance and 36% (£86,189) was unforeseen and reactive work. It is noted that significant inflationary pressures within the construction industry continues to put immense strain on this budget and far less work is capable of being delivered year on year for the same budget provision. Some landlord's repair and maintenance liabilities are not therefore capable of being carried out.

Expenditure	2016/17	2017/18	2018/19	2019/20
Programme	£190,461	£227,711	£241,666	£152,856
Unforeseen	£145,392	£80,888	£80,202	£86,189
Total	£335,853	£308,599	£321,868	£239,045
Maintenance				

- 3.4.3 However, in addition to the above maintenance spend, £100,636 was spent on Landlord's health and safety improvements, removing and replacing asbestos and demolishing redundant buildings.
- 3.4.4 £223,060 was spent in total on professional fees relating to Estate Management, Farmwise Devon at the County Show and the October Event, and the procurement of repairs, maintenance, compliance management, service term contracts and other works.
- 3.4.5 £7,658 was spent on servicing plant and equipment on the Estate including private water supplies, boilers, electrical wiring systems, sewage treatment plants, radon pumps etc owned by the Landlord.
- 3.4.6 £10,129 was spent on roadside tree surgery works arising as a consequence of periodic surveys and other ground maintenance works. This cost is set to rise in future years as the health of Devon's trees deteriorates and following the frequency of inspections being increased to an annual cycle.
- 3.4.7 £4,129 was spent on condition surveys to help inform planned maintenance programmes and to manage landlord's risks associated with the Defective Premises Act 1972 and Occupiers Liability Acts 1957 and 1984.
- 3.4.8 £86,727 was spent on compensating tenants for fixtures, fittings and improvements at end of tenancy.

3.5 Revenue Surplus

3.5.1 A revenue surplus of £464,043 was achieved compared with the increased target of £464,000.

Revenue Surplus	2016/17	2017/18	2018/19	2019/20
Target	£362,000	£382,000	£414,000	£464,000
Actual	£389,442	£393,682	£411,721	£464,043
As a % of Target	108%	103%	99.8%	100%

3.6 Running Costs

3.6.1 Running costs for 2019/20 were £489,034 against a target of £470,000. The increase in in year spend principally related to increased statutory end of tenancy compensation payments to tenants.

Running Cost	2016/17	2017/18	2018/19	2019/20
(d) Per Farm	£7,300	£6,900	£6,646	£7,524
(e) Per Hectare	£129.79	£121.15	£112.00	£126.62
(f) As a % of	45%	43%	39%	42%
Income				

3.7 Management Costs

3.7.1 Management costs for 2019/20 were £223,060 against a target of £230,000.

Management Cost	2016/17	2017/18	2018/19	2019/20
(g) Per Farm	£3,409	£3,456	£4,062	£3,432
(h) Per Hectare	£60.62	£60.68	£68.45	£57.75
(i) As a % of	21%	21%	24%	19%
Income				

3.8 Capital Receipts

3.8.1 In 2019/20 the Estate generated £1,569,062 from the sale of land at Monkerton Farm, Exeter; Part East Hill Farm, Knowestone; and Part Lower Parks Farm, Crediton.

Capital Receipts	2016/17	2017/18	2018/19	2019/20
Actual	£1,476,115	£11,130,000	£2,700,644	£1,569,062

3.8.2 At year end a further 4 properties were 'sold subject to contract and planning' with a potential capital receipt value of £5,306,000 expected to be received in 2020/21.

3.9 **Capital Investments**

- 3.9.1 Capital investment amounted to £1,189,225. Investment was made in eight farmhouse renovation and improvement schemes and eight septic tanks were replaced with sewage treatment plants.
- 3.9.2 At year end a total of £569,112 of capital funding was committed to previously approved schemes on the Estate which has been carried forward to the new financial year. It is anticipated this money will be spent in 2020/21.

- 3.9.3 In future years the Estate is likely to require ongoing capital investment in:
 - (i) Further ongoing farmhouse renovation and improvement works
 - (ii) Meeting the requirements of the Clean Air Strategy
 - (iii) New sewage treatment plants
 - (iv) Renewable energy, energy efficiency, carbon offsetting and sequestration
 - (v) More onerous electrical regulations for farm buildings

4 Net capital contribution to the Corporate Capital Programme

4.1 After the County Farms Estate inward capital investment expenditure is deducted from the capital receipts generated by the sale of surplus Estate assets, a net capital contribution of £379,837 was made by the Estate to the corporate capital programme in 2019/20.

Net Capital Contribution	2016/17	2017/18	2018/19	2019/20
Actual	£368,421	£10,351,401	£1,032,260	£379,837

- 4.2 In addition to the direct contribution of capital receipts, the Estate also contributed to corporate initiatives by way of land provision:
 - (i) Land at Lower Chitterley Farm, Bickleigh 0.17 hectares of land used for tree planting.

Approximately 200 mixed native species deciduous trees were obtained free of charge from the Woodland Trust and planted by approximately 25 volunteers from the County Council's Environment Directorate.

5 Estate Management Performance

5.1 The achievements for 2019/20 are analysed, as on previous occasions, in two areas – namely tenant matters and property matters.

5.2 Tenant Matters

- One tenant has progressed off the Estate to a larger tenanted farm in the private sector.
- One Farm (Merrifield Farm, Holsworthy) was re-let to a new tenant where the standard of applicants remained extremely high.
- Four tenancies were renewed or extended.

5.3 Property Matters

The size of the Estate decreased to 3,862.34 hectares (9,543.84 acres) during 2019/20. This was the net result of sales of land at Monkerton, Exeter; Part East Hill Farm, Knowestone and Part Lower Parks Farm, Crediton.

No suitable land was identified to purchase in year.

Size of the Estate	2016/17	2017/18	2018/19	2019/20
Hectares	3,880.91	3,872.99	3,867.11	3,862.34
Acres	9,589.73	9,570.16	9,555,50	9,543.84

5.4 The overall picture of the Estate as at 31 March 2020 was as follows:

	2016/17	2017/18	2018/19	2019/20
Number of let residential	69	68	65	65
farms				
Total AHA 86 Farms	20	18	15	14
AHA 86 Lifetime Tenancies	11	9	8	8
AHA 86 Retirement	9	9	7	6
Tenancies				
Total ATA 95 (FBT) Farms	49	50	50	51
FBT's more than seven	21	21	19	19
years				
FBT's seven years or less	28	29	31	32

- 5.5 Two farm cottages remain sublet by Estate tenants (with landlord's consent).
- 5.6 One traditional building remains let on a Landlord and Tenant Act 1954 lease to a micro-brewery operator.
- 5.7 Two surplus farm buildings are sublet (with landlord's consent) to rural businesses on Landlord and Tenant Act 1954 leases.
- 5.8 Three blocks of bare land are let to Parish Council's for community use (playing field and allotments).
- 5.9 Six allotments are let direct to members of the public.
- 5.10 Two telecommunication masts are let on the County Farms Estate.
- 5.11 Five leases are granted for community internet apparatus installed on the County Farms Estate.

- 5.12 One site is let to the Environment Agency as a remote weather station.
- 5.13 Nine blocks of bare land are let to non-core Estate agricultural tenants (land at Whitsun Farm, Land at Cofton Cross, Part East Hill Farm, Part Greenhills Farm, Part Beara Down Farm, Part Middle Winsham Farm, Part Manor Farm, Part Manor Farm, Part East Week Farm).
- Three farmsteads are declared surplus to the operational requirements of the Estate. At the end of the financial year one was sold subject to contract and planning (East Hill Farm) and two are due to be advertised for sale as soon as practically possible (Baxters Farm, Musbury; and Beara Down Farm, Bratton Fleming).

6 Other notable Estate achievements and events

- 6.1 Farmwise
 - (i)For the sixth year in a row, Farmwise was present at the County Show for the three days on the 16, 17 and 18 May 2019.

This year the NPS organising team won Gold Medal for Best Feature.

David Rutley MP and Sir Harry Studholme, President of the Devon County Show for 2019 got involved in the baking activities organised by Devon Norse.



(ii)The seventh Farmwise Devon event was held on 15 October 2019 at Westpoint.

The following key facts are worthy of note:
Approximately 1,600 pupils and 150 teachers attended
Approximately 40 schools plus groups of home schooled children attended

12 zones (dairy, beef, sheep, pigs, poultry, fruit, vegetables, arable, wildlife, forestry, food and environment)

10 tenants from within the estate volunteered and ran zone exhibits.

6.2 Supporting Local Agricultural Colleges

For the third year in succession the Estate hosted the Duchy College Level 4 Apprenticeship students sitting their farm business planning module. A mock viewing was held at Buckridge Farm, Denbury and the Chairman of the Committee, Senior Land Agent and tenant of the holding interviewed students at the Devon YFC Centre, Cheriton Bishop for the hypothetical tenancy.

6.2 The Devon Farm Business Awards 2019

Luke and Emily Knight of Cotley Farm, Ottery St Mary (pictured below) won the **CAAV John Neason Diversification Award** for their care farming combined with a rapidly expanding farm shop. Luke and Emily are currently expanding into work with youth offenders and children with SEND (Special Education Needs and Disability).



Jamie Vanstone of Chapel Farm, Marwood was a finalist in the **Best Young Farmer** category nominated for his hard work and determination setting up his dairy herd of Fleckviehs alongside installing a new parlour and remodelling much of the infrastructure at the farm.

6.3 County Farms Estate Support Armed Forces Covenant

David and Michelle Wootton, formerly of Moorhouse Farm, Bovey Tracey, very kindly welcomed the Veterans Farm-Able Foundation to the farm to learn the art of dry and wet stone walling. The Veterans Farm-Able Foundation works with farmers in Devon, Somerset and Cornwall to support veterans and emergency services personnel in transition from their service by learning rural skills on farms as part of rehabilitation and resettlement. Feedback received after the course stated "both Michelle and David were warm, welcoming...at all times they were aware of our needs and were always supportive. I found the dry stone walling extremely compelling and it was only after looking at before and after photos that I realised what I had achieved and I felt extremely proud"

6.4 Exmoor Hill Farming Network

In January 2020 the Senior Land Agent presented at an Exmoor Hill Farming Network Event titled 'An Introduction to Farm Tenancy Applications and Lettings and Business Plans for Tenant Farmers'. The Chairman of the Committee was also in attendance along with representatives of the NFU, National Trust and Lloyds Bank.

6.5 Best Practice Case Study

Attached at Appendix B is a case study on the diversified business ventures at Higher Fingle Farm, Drewsteignton. This case study was put forward for DEFRA's Annual Report to Parliament on 'Smallholdings'.

7.0 Options/Alternatives

7.1 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.

8.0 Consultations/Representations/Technical Data

- 8.1 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.
- 8.2 No other parties have been consulted and no other representations have been received
- 8.3 The technical data is believed to be true and accurate.

9.0 Financial Considerations

9.1 The Author is not aware of any financial issues arising from this report.

10.0 Environmental Impact Considerations (including Climate Change)

10.1 The Author is not aware of any environmental impact (including climate change) issues arising from this report.

11.0 Equality Considerations

11.1 The Author is not aware of any equality issues arising from this report.

12.0 Legal Considerations

12.1 The Author is not aware of any legal issues arising from this report.

13.0 Risk Management Considerations

13.1 The Author is not aware of any obvious risks to manage.

14.0 Public Health Impact

14.1 The Author is not aware of any public health impact.

15.0 Summary/Conclusions/Reasons for Recommendations

15.1 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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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

Appendix A

COUNTY FARMS ESTATE - FINANCIAL REPORTS FINANCIAL STATEMENT - FINAL OUTTURN 2019/20

INCOME Rent Other	TOTAL INCOME	2019/20 ANNUAL TARGET £'000 (1,124) (40) (1,164)	2019/20 OUTTURN £'000 (1,149) (27) (1,176)	2018/19 OUTTURN £'000 (1,075) (33) (1,108)	2017/18 OUTTURN £'000 (1,055) (43) (1,098)	2016/17 OUTTURN £'000 (1,094) (34) (1,128)
EXPENDITURE STATUTORY COSTS						
Tenant Right Valuation		20	87	25	114	102
J	SUB - TOTAL	20	87	25	114	102
PREMISES COSTS Building Maintenance - unforse Building Maintenance - progran Building Maintenance - Surveys	nmed	100 210 10	86 153 4	80 242 11	81 228 2	145 190 1
Building Maintenance - STC	Building Maintenance - STC			18	7	12
Building Maintenance - other (in initiatives, redundant buildings, safety)		61	101	11	7	8
Grounds Maintenance		10	10	7	2	7
Rents & other landlord charges		14 6	11	14	14	14
Rates, Electricity and Water Ch	Rates, Electricity and Water Charges		15 388	10	3 344	0 377
	SUB - TOTAL	431	300	393	344	311
SUPPLIES & SERVICES						
Insurance		0	0	0	0	0
Adverts		2	1	6	3	4
NPS Fees		230	223	264	235	235
Legal Fees Professional Fees		4 6	1 10	1 3	(1) 7	(1) 1
Other Fees & Charges (DFYF,	SHLAA GPDO)	7	2	4	2	21
other rees & charges (b) 11,	SUB - TOTAL	249	237	278	246	260
		·				
TOTAL EXPEN	IDITURE	700	712	696	704	739
Revenue Funded Restructuring	3	0	0	0	0	0
NET OPERATIONAL (SURPLU	S)/DEFICIT	(464)	(464)	(412)	(394)	(389)

Devon County Council – County Farms Estate

Appendix B

Best Practice Case Study

HIGHER FINGLE FARM (AKA 'DRAKES FARM'), CROCKERNWELL, DEVON



Higher Fingle Farm, Crockernwell comprises a house, buildings and 56 acres of land and was let to Colin and Kim Drake as a new entrant starter holding in 2013. Since then a further 98 acres has been let to the Drake's by the County Council.

The holding is Organically Certified and on entry came with an established organic poultry abattoir. Colin and Kim's business is however primarily a beef and sheep unit and although they were able to convert the poultry abattoir to a licenced meat cutting plant and started butchering and marketing direct to the consumer some finished cattle and lamb, the unit went largely underutilised.

In 2017 the Drake's applied for landlords consent to 'sublet' the cutting plant to a separate trading partnership (comprising themselves and another local farmer who had previously owned a farm shop) on a <u>'54 Act security of tenure excluded lease</u>. Consent was granted, planning consent was obtained for a farm shop, and '*Oinkers at Drakes Farm'* was formed.

Almost all beef and lamb finished on the holding is now hung, butchered, packaged and sold direct to the consumer through the farm shop. The farm shop supports a range of other local businesses through the sale of other meats, honey, veg, milk, cream and eggs etc. The shop is always looking to support local and the range of local produce sold through the shop is increasing all the time.

In 2018, the Drake's secured a Leader Grant through Dartmoor National Park Authority







for a <u>multifunctional educational building</u>, <u>café and cookery school</u> to further their business. Please see website for details <u>https://www.drakesfarm.net/</u>



The café occupies half of the building, known as '**Drakes Farm & Café'** and utilises produce from the farm shop wherever possible.

Within the building, Kim Drake runs very popular hands-on educational sessions for 0-5 year olds called 'Little Farmers'. This programme's core learning aspect is based on practical learning surrounding a theme. Themes range from sheep shearing, the pony, piglets, building a wormery and planting seed to many more. Kim also currently runs 'Little Farmer' themed birthday parties for children up to 8 years old.



The other half of the building is again sublet with landlords consent under a '54 Act security of tenure excluded lease to another local couple to run a cookery school known as 'Ground Up Cookery' whose ethos surrounds seasonality of food, localness and foraging. Please see website for details https://www.groundupcookeryschool.co.uk/



Through adopting a collaborative and flexible working relationship between landlord and tenant the relatively small Higher Fingle Farm has been able to accommodate a number of rural business employing up to 10 full and part time staff, adding value to locally sourced farm produce, and providing a range of valuable services to the local community.

BSS/20/02 Farms Estate Committee 21 September 2020

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 and 3 of this report.

1.0 Land at Cofton Cross, Dawlish

It is recommended that:

- (i) The Case G Notice to Quit served on the personal representatives of the late tenant of the land at Cofton Cross be upheld.
- (ii) The land at Cofton Cross be offered to the family of the deceased tenant on a series of consecutive fixed term 12 month Farm Business Tenancy agreements commencing 25 March 2022 until such times as the land may be required for any form of alternative use, and subject to terms being agreed each year.
- 1.1 The Dawlish Estate comprises:

Duckaller Farm – 36.31 hectares (89.72 acres)
New Gulliford Farm - 36.55 hectares (90.31 acres)
Land at Cofton Cross - 3.09 hectares (7.64 acres)

Total – 75.95 hectares (187.67 acres)

- 1.2 An area of bare land amounting to 7.64 acres or thereabouts known as 'Land at Cofton Cross' is let to a tenant on a 1986 Agricultural Holdings Act 'lifetime' tenancy.
- 1.3 The tenant sadly passed away this spring and a valid Case G Notice to Quit under the Agricultural Holdings Act 1986 was served on the personal representatives of the late tenant. The notice was also served on the Public Trustee. The notice to guit will take effect at 25 March 2022.
- 1.4 The family of the late tenant have expressed interest in continuing to rent the land.

- 1.5 The land is being held for mid to long term strategic development potential which may or may not come to fruition. Given this potential it would be folly to sell the land before any such development potential could be realised. The land is detached from any other County Farms and of no obvious material benefit to the Estate tenants farming nearby.
- 1.6 The deceased tenant always maintained the land well and paid the rent on time and in full. The County Council will require a good custodian of this land, paying a market rent for it, until such times as any alternative use or development could be pursued.

2.0 Endfield Farm, Sandford

It is recommended that:

- (i) The tenant of Endfield Farm, Sandford be invited to surrender from his lease OS 7400, 0005, 6200, 5203 and 5200
- (ii) OS 7400, 0005, 6200, 5203 and 5200 forming part Endfield Farm, Sandford and amounting to 11.52 acres or thereabouts be declared permanently surplus to the requirements of the Estate so that it can be sold to the tenant of Endfield Farm, Sandford
- 2.1 The Sandford Estate comprises:

Endfield Farm – 53.22 hectares (131.57 acres)

Total – 53.22 hectares (131.57 acres)

- 2.2 Endfield Farm is the creation of two holdings being amalgamated. The former Frostlands Farm farmhouse and some land was sold in c.2003 and the remaining 62 acres or thereabouts of land and two sets of old farm buildings was amalgamated with Endfield Farm.
- 2.3 The former Frostlands Farm buildings were scheduled redundant but it is understood they have remained in agricultural use ever since.
- 2.4 The buildings are potentially suitable for the creation of one or more dwellings through Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 2.5 The current tenant of Endfield Farm has purchased land nearby where he is in the process of creating a new dairy set up, complete with an agriculturally tied dwelling, in advance of his progression beyond the Estate in 2023.
- 2.6 The current tenant expressed interest in buying the barns and some land around them which can be connected to his own land. As a sitting tenant, the Council can potentially treat direct with the tenant without market competition. The sitting tenant will however be required to pay market value (with no sitting tenant discount) for any potential purchase.
- 2.7 An independent valuation of the barns and land was commissioned on the basis that the property be valued at open market value and with a special

assumption that permitted development for one or more dwellings could be secured.

2.9 Subject to contract and committee approval heads of terms have been agreed in principle to sell the barns and 11.52 acres or thereabouts of land to the tenant of Endfield Farm at open market value.

3.0 Part Westcott Farm, Burlescombe

It is recommended that:

- (i) The tenant of Westcott Farm, Burlescombe be invited to surrender from his lease OS 7429
- (iii) OS 7429 forming part Westcott Farm, Burlescombe and amounting to 2.14 acres or thereabouts be declared permanently surplus to the requirements of the Estate so that it can be sold to the tenant of Westcott Farm, Burlescombe.
- 3.1 The Burlescombe Estate comprises:

Westcott Farm – 84.58 hectares (209 acres)

Total – 84.58 hectares (209 acres)

- 3.2 Westcott Farm is the creation of four farms being amalgamated. The former farmsteads of Pugham, Ebbear and Kilnview Farms were sold off and the residual land amalgamated with Westcott.
- 3.3 The current tenant of Westcott Farm used to occupy Pugham Farm and was relocated in 2003 to accelerate the Estate's restructuring and rationalisation programme. As part of the relocation package part of the Pugham farmstead comprising a mix of landlord and tenant buildings was retained and let with Westcott Farm.
- 3.4 The buildings are potentially suitable for the creation of one or more dwellings through Class Q or for some form of commercial use through Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 3.5 The current tenant is using the landlord's buildings for some general agricultural use and storage and his own tenant's fixture buildings (erected while he occupied Pugham Farm) for youngstock accommodation. Having youngstock accommodated away from the main holding is however not ideal and the tenant is currently seeking landlord's consent to replace the buildings with more modern purpose built buildings at the main Westcott farmstead.

4.0 Options/Alternatives

4.1 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.

5.0 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.
- 5.2 No other parties have been consulted and no other representations for or against the proposal have been received
- 5.3 The technical data is believed to be true and accurate.

6.0 Financial Considerations

6.1 The Author is not aware of any financial issues arising from this report.

7.0 Environmental Impact Considerations (including Climate Change)

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9.0 Legal Considerations

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10.0 Risk Management Considerations

10.1 The Author is not aware of any obvious risks to manage.

11.0 Public Health Impact

11.1 The Author is not aware of any public health impact.

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: Dawlish; Creedy, Taw & Mid Exe; Willand & Uffculme

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,

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Tel No: (01392) 351066 Email: dan.meek@nps.co.uk

BSS/20/04 Farms Estate Committee 21 September 2020

The County Farms Estate
Collaboration with the North Devon UNESCO Biosphere Reserve Partnership

Report of the Head of Digital Transformation and Business Support

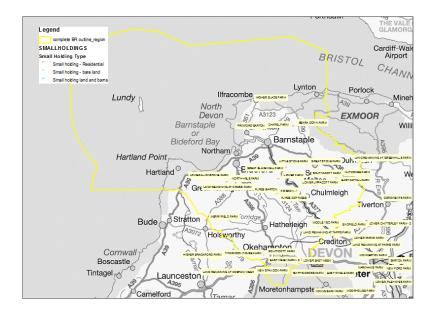
Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.

Recommendation(s):

That all potential opportunities to utilise the assets of the County Farms Estate and to work collaboratively with Estate tenants for the benefit of the North Devon UNESCO Biosphere Reserve Partnership be explored.

1.0 Background

1.1 The County Farms Estate has approximately 20 properties within the area of the UNESCO Biosphere Reserve. Devon County Council has a policy of supporting and promoting sustainable development including sustainable rural economies using its farm estate as a key asset for demonstrating and assisting these policy areas. The UNESCO designation has similar purposes for developing and promoting best practices in sustainable development and setting exemplary action internationally for others to learn from. The UNESCO designation is overseen by a partnership of 34 organisations that work collectively towards the aims and values that the designation brings.



1.2 Officers of the Biosphere Reserve are aware of the Devon County Council 'Ten Point Plan' for its own business and Estate to respond to the Climate and

Extinction Crises. Further the proposals recently published in the CPRE report regarding Local Authority farms functions is acknowledged, as is the overall agricultural industry strategy proposed by the NFU for net zero emissions.

- 1.3 The North Devon UNESCO Biosphere Partnership also has strategies for net zero emissions, climate change adaptation and the climate extinction responses. Consequently, it has active programmes to address these issues that require collaboration with land managers. These programmes include: The Woodland Enterprise Zone, the Estuary Focus area project to reduce bacteria loading on shellfish waters, The Connecting the Culm Project, the Torridge River Improvement Project, Woods For Water, and Natural Flood Management Projects.
- 1.4 Given the synergy between the Devon County Farms Estate and the Biosphere Reserve it is proposed to create a mutually beneficial working relationship to help address the demands rather than burden tenants with more demands. Officers of the Biosphere Reserve are seeking to work proactively with the Estate tenants and agents to access the best advice and facilitate funding to enable the farms to be both viable and beacons of good practice in the UNESCO Biosphere.
- 1.5 The Biosphere Partnership would like to support the Estate and involve it in it's programmes for the following areas:
 - (i) Carbon reduction through:
 - Improved management, condition and functionality of woodlands and woodland extent
 - Improve the carbon content in soils
 - Creating cost effective measuring and monitoring systems for emission reductions
 - (ii) Flood attenuation through:
 - Improvement to the absorption capacity of the soils on the farms through good stewardship
 - Making the appropriate land-use and land management changes to improve flood resilience in sensitive catchments
 - Where suitable include attenuation features such as swales, leaky dams and wetlands to buffer run off
 - (iii) Improve water quality through;
 - Reducing run off
 - Apply precision farming techniques to reduce pollution from excesses and reduce costs
 - Buffering watercourses
 - (iv) Improving Biodiversity and being exemplar in the community for habitat management through
 - Best practice in habitat management aligned to Nature Recovery strategies
 - Joining our Pledge for Nature campaigns to improve the resilience for biodiversity such as leaving at least 250m of hedge per year to be uncut and or restore or make a new farm pond.

- Restoring traditional orchards
- 1.6 The Biosphere Partnership has social and economic values that it would like to achieve for the area and would welcome involvement of the Farms Estate in achieving these.
- 1.7 It is recognised that a collaborative approach between Devon County Council, its agents, tenants and officers of the Biosphere Reserve Partnership is required. This will involve establishing good direct communication with the various stakeholders.

2.0 Case Study examples

- 2.1 Discussions are currently taking place with the tenant of Lower Farm, High Bickington for a 'woods for water' capital grant administered through Biosphere Officers and involving the creation of a new deciduous woodland on marginal land adjacent to a watercourse running through the farm and to fence off the watercourse to prevent stock accessing it. This project is designed to reduce the risk of pollution from agricultural sources in the watercourse.
- 2.2 Discussions are currently taking place with the tenant of Ten Oaks Farm, Roborough to possibly 'sublet' to the Biosphere approximately 12 acres of ancient woodland so that it can be put into proactive management. Initially it is proposed that a woodland audit would be carried out and grants obtained to carry out management work such as thinning to allow for natural but controlled regeneration. It is hoped this site may become a demonstration, education and training site for the Biosphere. This could, if successful, be applied to other woodlands in the county farm estate and other DCC freeholds.

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

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- 11.0 Summary/Conclusions/Reasons for Recommendations
- 11.1 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: 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,

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Agenda Item 10a

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

Agenda Item 10b

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted