

FARMS ESTATE COMMITTEE

15 May 2023

Present:-

Councillors J Yabsley (Chair), J Brook, J Berry, A Dewhirst, L Samuel, and C Whitton
M Broom – Devon Young Farmers' representative
T Forward – Tenants' representative

Apologies:-

Councillors H Gent and Mrs L Warner

* 81

Minutes

RESOLVED that the minutes of the meetings held on 20 February 2023 and 18 April 2023 be signed as correct records.

* 82

Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

* 83

Revenue Monitoring (Final Outturn) 2022/23 and 2023/24 (Budget)

The Committee received the Report of the Director of Finance and Public Value (DF/23/51) on the County Farms Estate Revenue Monitoring (Final Outturn) 2022/23 and 2023/24 (Budget), which provided a summary of the annual budget and the year-end outturn; and noted an unchanged target surplus of £534,000 for 2023/24.

In response to questions raised by Members, it was noted that:

- The high figure for Tenant Right Valuations was not unusual for a year with such a high number of tenancy lettings and where the entire landlord's liability had been financed solely by the revenue budget. The target set in the annual budget each year was a notional provision only, as actual figures were not generally known until the end of the financial year.
- The impact on insurance premiums following storm damage repairs in 2022 was probably negligible, but further information could be provided by the Council's Insurance team if Members so required.
- As to paragraph 6 of the report, Officers clarified how it related to the Council's Strategic Plan by e.g. improving energy efficiency of homes, through the farmhouse renovation programme; the mapping of carbon footprints of farms; and creating new permissive footpaths.

Members wished it noted that in generating the £70,000 additional revenue surplus, the Farms Estate was continuing to make a valuable contribution to the wider Council's revenue programme.

The Committee was happy to endorse the report

* **84** **Capital Monitoring (Final Outturn) 2022/23 and 2023/24 (Budget)**

The Committee received the Report of the Director of Finance and Public Value (DF/23/50) on the County Farms Estate Capital Monitoring (Final Outturn) 2022/23 and Capital Budget 2023/24.

It was noted that total spend in 2022/23 amounted to £1,024,769 and resulted in an underspend against the budget provision of £31,018, which would be carried forward to the 2023/24 budget, thus the balance of capital available to spend in 2023/24 amounted to £781,018.

In response to questions raised by Members, it was noted that:

- In looking at the five-year capital allocation for 2027/28 and the ongoing programme of farmhouse improvement works, the Committee agreed to discuss this further under Part II of the meeting.
- Due to inflationary pressures on the Council, a more flexible approach had been taken this year to reduce ongoing budgets by 25%, with the knowledge that project slippage each year would be available for reallocation.

The Chair wished to record his thanks to everyone involved with the Farms Estate for their hard work.

* **85** **Annual Report 2022/23**

The Committee received the Report of the Director of Finance and Public Value (DF/23/52) incorporating the 32nd Annual Report of the County Farms Estate.

The Annual Report 2022/23 covered the Committee's functions, namely, Financial performance, Estate management performance, and highlighted notable Estate achievements and events throughout the year.

Members commended the Annual Report, which had shown a very successful year for the County Farms Estate, and requested that it be shared more widely across the Council, to possibly include infographics in the future.

* **86** **Management and Restructuring Issues**

The Committee considered the Report of the Head of Digital Transformation and Business Support (Interim) (BSS/23/04) on the County Farms Estate Management and Restructuring issues.

(a) Part Cordwents Farm, Halberton

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

- (i) the consent for the tenant to place fixtures, fittings, chattels or improvements on the site be expanded from 'a temporary/portable skate park' to 'a temporary/portable skate park or similar teen focused equipment'; and
- (ii) the Halberton Parish Council be granted a five year security of tenure excluded common law tenancy of 0.5 acre or thereabouts of land forming NG Pt 3881 forming part Cordwents Farm, Halberton for the sole use of providing a community growing space, subject to terms being agreed.

(b) Part Nutcombe Farm, Rose Ash and Markhams Farm, Ide

Due to the sensitive and confidential nature of the questions raised, the Committee agreed to consider these matters under Part II of the meeting.

(c) Land at Lower Farm, High Bickington

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

RESOLVED that the 7.37 hectares (18.21 acres) or thereabouts of barn and land at High Bickington be advertised to let in internal competition between the tenants of Lower Farm, High Bickington; Great Blakewell Farm, Chittlehampton; Lower Northchurch Farm, Yarnscombe; Furze Cottages Farm, Ashreigney; Furze Barton Farm, Ashreigney; and Ten Oaks Farm, Roborough on a six year Farm Business Tenancy (or for a shorter term to co-terminate with the term date of the successful tenant's main holding tenancy) commencing as soon as practically and legally possible, subject to terms being agreed.

* 87 **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.

* **88** **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 Yabsley declared a personal interest in respect of item 1(a) relating to Part Nutcombe Farm, Rose Ash by virtue of being the Local Member.)

1. The Committee reconsidered the Report of the Head of Digital Transformation and Business Support (Interim) (BSS/23/04) in respect of the following two farms and raised relevant questions of the Senior Land Agent to enable a decision.

(a) Part Nutcombe Farm, Rose Ash

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

RESOLVED that

- (i) the tenant's proposed voluntary surrender of NG 0017 extending to 0.78 acres or thereabouts of land be accepted; and
- (ii) that NG 0017 extending to 0.78 acres or thereabouts of land be declared permanently surplus to the operational requirements of the estate so that it can be sold to the neighbouring special purchaser.

(b) Markhams Farm, Ide

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

RESOLVED that

- (i) the tenant's proposed early surrender of his tenancy of Markhams Farm and his supplemental tenancy of Part Markhams Farm, be accepted; and
- (ii) the farmhouse, buildings and 111.67 hectares (276.03 acres) or thereabouts of land at Markhams Farm, Ide 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 2024 and expiring 25 March 2039, subject to terms being agreed.

2. The Committee then considered the Report of the Head of Digital Transformation and Business Support (Interim) (BSS/23/05) on a request for landlord's consent for proposed tenant's improvement.

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

RESOLVED that landlord's consent be granted for the tenant of Coppa Dolla Farm, Denbury to construct a 60' x 45' steel portal frame livestock building, such consent to be subject to the improvement being written down in value to £100 on a straight line basis over a life expectancy of 25 years for a galvanised iron building or 20 years for a painted steel building.

3. The Senior Land Agent then dealt with Members' questions that had been raised but could not be responded to under Part I of the meeting.

NOTES:

1. *Minutes should always be read in association with any Reports for a complete record.*
2. *If the meeting has been webcast, it will be available to view on the [webcasting site](#) for up to 12 months from the date of the meeting*

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

The Meeting started at 2.15 pm and finished at 3.51 pm