

## FARMS ESTATE COMMITTEE

11 September 2023

Present:-

Councillors J Yabsley (Chair), J Brook, J Berry, A Dewhirst, C Whitton and Mrs L Warner (Tenants' representative)

Apologies:-

Councillors R Chesterton and H Gent

\* **92**      **Chair's Announcements**

(a) Councillor L Samuel, having taken on Cabinet Member responsibility, had been replaced on the Committee by Councillor R Chesterton.

(b) Welcome to Mr Hipkin who was attending the meeting 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.

\* **93**      **Minutes**

**RESOLVED** that the minutes of the meetings held on 15 May 2023 and 23 June 2023 be signed as correct records.

\* **94**      **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

\* **95**      **Revenue Monitoring 2023/24 (Month 4)**

The Committee received the Report of the Director of Finance and Public Value (DF/23/78) on the County Farms Estate Revenue Monitoring (Month 4) 2023/24, noting the target surplus of £534,000 for 2023/24 and detailing income and expenditure to date.

Responses to Members' questions included:

- Tenant Right Valuation accruals of £152,954 were unable to be released due to valuations not yet being concluded, although some interim payments to outgoing tenants had been made.
- It would not be known how much of the £13,000 tree survey work budget would be split between surveys and remedial work until all survey work had been completed, but Officers would revert to Members as to the position in last year's budget.

\* **96**      **Capital Monitoring 2023/24 (month 4)**

The Committee received the Report of the Director of Finance and Public Value (DF/23/79) on the County Farms Estate Capital Monitoring (Month 4) 2023/24, noting that the approved capital programme for 2023/24 included schemes totalling £750,000.

There had been an underspend of £31,018 in 2022/23 and an in-year receipt of £120,000, thus the balance of capital available to spend in 2023/24 amounted to £901,017.

**97**      **The County Farms Estate - Management and Restructuring Issues**

The Committee considered the Report of the Head of Digital Transformation and Business Support (BSS/23/07) on County Farms Estate Management and Restructuring issues.

Part Duckaller Farm, Dawlish

The report proposed to regularise with the Environment Agency the requisite legal permission for infrastructure and apparatus to remain in situ for a further term of 10 years, subject to terms being agreed.

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

**RESOLVED:**

- (a) that the tenant's proposed voluntary surrender of part NG 0001 extending to 0.02 acres or thereabouts of land be accepted; and
- (b) that part NG 0001 extending to 0.02 acres or thereabouts of land be let to the Environment Agency on a 10 year common law tenancy commencing 29 September 2023 and terminating on 29 September 2033, subject to terms being agreed.

Part Tapps Farm, Coplestone

As part of the Okehampton Railway line scheme, Network Rail had identified land at Tapps Farm as a potential additional site for further tree planting to create the replacement dormice habitat required by the Natural England licence as set out in the report.

Members voiced their deep concern that pernicious weeds would grow on this land and spread to surrounding farmland and requested that the proposed lease be made subject to annual weed control to stop the seeding or flowering of pernicious weeds. The Land Agent undertook to review the lease wording to this effect.

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

**RESOLVED** that a 35 year common law tenancy be granted to Network Rail of 13.5 acres of land or thereabouts comprising Part NG 0032 at Tapps Farm, Copplestone for a term commencing 25 March 2024 and terminating 24 March 2059, subject to terms being agreed.

Furze Barton Farm, Ashreigney

It was proposed the Farm should be retained and relet in accordance with the objectives of the Estate Policy and Strategy.

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

**RESOLVED** that:

- (a) the Case G Notice to Quit served on the personal representatives of the late tenant of Furze Barton Farm, Ashreigney be upheld and vacant possession of the holding be taken at 24 March 2025; and
- (b) the farmhouse, buildings and 54.22 hectares (133.99 acres) or thereabouts of land at Furze Barton Farm, Ashreigney be advertised to let on the open market as an equipped residential starter dairy farm for a term of seven years commencing 25 March 2025 and expiring 25 March 2032, subject to terms being agreed.

\* **98**      **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.

\* **99**      **Holdings and Tenancies etc.**

The following items were 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      **Request for landlord's consent for proposed tenants' improvements**

The Committee considered the Report of the Head of Digital Transformation and Business Support (BSS/23/08) on requests for landlord's consent for proposed tenants' improvements.

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

**RESOLVED** that:

- (a) landlord's consent be granted for the tenant of Bulleigh Elms Farm, Ipplepen to construct a CIRIA and SSAFO compliant 90' x 45' concrete bunker silage clamp providing approximately 2,000 tonnes capacity, subject to the improvement being written down in value to £100 on a straight-line basis over a life expectancy of 30 years.
- (b) landlord's consent be granted for the tenant of Bulleigh Elms Farm, Ipplepen to construct a 75' x 30' steel portal frame general purpose building, 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.

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

**RESOLVED** that:

- (c) landlord's consent be granted for the tenant of Higher Bradaford Farm, Virginstow to construct a 60' x 65' steel mono-pitch roof livestock building with minimum eaves height of 14', 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.

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

**RESOLVED** that:

- (d) landlord's consent be granted for the tenant of Merrifield Farm, Holsworthy to construct a 27' x 45' steel mono-pitch roof livestock building, 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.

**b Monitoring of tenants**

The Committee considered the Report of the Head of Digital Transformation and Business Support (Interim) (BSS/22/09) on the monitoring of tenants on an Initial Farm Business Tenancy.

A typographical error was noted in the report at sub-paragraph (iv) line three where it should read, '...terminating 25 March 2032...'.

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

**RESOLVED** that:

- (a) a letter be sent to the tenant of Coppa Dolla Farm, Broadhempston confirming a satisfactory level of competence has been attained to date;
- (b) letters be sent to the tenants of Thorndon Farm, Broadwoodwidger; Ten Oaks Farm, Roborough; Nunford Farm, Colyton; and Southcott Farm, Okehampton requesting copies of their accounts for review as the final yet integral part of their first monitoring visits. Subject to the accounts not giving any cause for concern they then be notified that they have attained a satisfactory level of competency to date. If the accounts are not presented for review before 1 January 2023, or the accounts give cause for concern, they will be deemed to have not attained a satisfactory level of competency and the first monitoring visit will need to be repeated in 2024;
- (c) the first monitoring visit for the tenant of Higher Artiscombe Farm, Gulworthy be deferred until 2024 by mutual agreement;

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

**RESOLVED** that:

- (d) the tenant of Northground Farm, Milton Abbot be offered a second but final seven-year Farm Business Tenancy of the holding for a term commencing 25 March 2025 and terminating 25 March 2032, subject to terms being agreed to include a formal monitoring visit between 48 and 60 months; and
- (e) the tenant of Manor Farm, Dawlish be informed he is required to produce a new business plan supported by cashflows and budgets and be interviewed before the County Farms Estate Committee at its next meeting to be held 20 November 2023 before a decision can be made as to whether or not he be offered a second and final seven-year Farm Business Tenancy of the holding.

**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 3.09 pm

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FARMS ESTATE COMMITTEE  
11/09/23