

FARMS ESTATE COMMITTEE

19 February 2016

Present:-County Councillors:-

Councillors Chugg (Chairman), Berry, Brook, Dewhirst, Gribble, Julian and Rowe

Co-opted Members:-

Mr Latham (Tenants' Representative) and Miss Bellew (Devon Federation of Young Farmers Clubs' Representative)

***FE/95 Minutes**

RESOLVED that the minutes of the meeting held on 9 November 2015 be signed as a correct record.

***FE/96 Revenue Monitoring Month 9 2015/16 and Draft Revenue Budget 2016/17**

(Councillor Gribble declared a personal interest in this matter by virtue of being a County Council representative on the Board of Directors of NPS South West Ltd)

The Committee received the Report of the County Treasurer ([CT/16/15](#)) on the County Farms Estate Revenue Monitoring Statement for Month 9 2015/16 and the draft Revenue Budget 2016/17, noting that the current year's budget was on target to meet its agreed surplus of £293,000 and that next year's draft budget included a target surplus of £318,000.

It was reported that the draft Revenue Budget for 2016/17 had been approved by the County Council at its meeting on 18 February 2016.

***FE/97 Capital Monitoring Month 9 2015/16 and Draft Capital Programme 2016/17**

The Committee received the Report of the County Treasurer ([CT/16/16](#)) on the County Farms Estate Capital Monitoring Statement Month 9 2015/16 and the draft Capital Programme 2016/17, noting that:

- expenditure to date stood at £802,000 out of a capital programme for 2015/16 of £2,074,000;
- forecast total spend for 2015/16 including commitments to schemes in progress or due to be undertaken in 2015/16 was £1,481,000;
- scheme slippage from 2015/16 to 2016/17 stood at £585,000;
- a bid had been submitted for capital funding of £1,671,000 for the County Farms Estate in 2016/17 (including £271,000 of previously identified slippage from 2015/16).

It was reported that the draft Capital Programme for 2016/17 had been approved by the County Council at its meeting on 18 February 2016.

***FE/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.

***FE/99 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) Request for Landlord's Consent to Proposed Tenants' Improvements

The Committee considered the Report of the Head of Business Strategy & Support (BSS/16/2).

The Head of Service reported on a revised, smaller scale scheme proposed by the tenant of New Standon Farm, Bridestowe who wanted to defer implementing other more substantial proposed improvements, and a request from the tenant of Waterford Farm, Musbury that the Committee consider granting landlord's consent in principle for their proposed tenant's improvement scheme so that they could implement it if or when the time was right to do so.

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

RESOLVED

(i) that landlord's consent be granted for a 75' x 30' (or thereabouts) stand-alone cubicle building at New Standon Farm, Bridestowe subject to the improvement being written down in value to £100 on a straight line basis over a life expectancy of 25 years;

(ii) that no objections be raised in principle to a 60' x 30' and 8' high open silage clamp tenant's improvement at Waterford Farm, Musbury subject to the improvement being written down in value to £100 on a straight line basis over a life expectancy of 25 years.

(b) Monitoring of Tenant on an Initial Farm Business Tenancy (Minute *FE 94(a)/9 November 2015)

The Committee considered the Report of the Head of Business Strategy & Support (BSS/16/3).

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

RESOLVED that in keeping with the decision of the Farms Estate (Interviewing) Committee to require six monthly formal monitoring of the new tenant of Middle Winsham Farm, Braunton, further half yearly monitoring visits be maintained, and that the tenant be asked to submit their accounts and insurance policies for inspection.

It was then **MOVED** by Councillor Chugg, **SECONDED** by Councillor Gribble and **RESOLVED** that the press and public be now readmitted to the meeting.

***FE/100** **Management and Restructuring**

(Mr C Latham declared a Disclosable Pecuniary Interest in this matter by virtue of being the tenant of Chapel Farm, Marwood and withdrew from the meeting during the consideration of proposals relating to land at Middle Winsham Farm, Braunton)

The Committee considered the Report of the Head of Business Strategy & Support (**BSS/16/1**) on County Farms Estate management and restructuring issues.

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

RESOLVED

(a) Land at Middle Winsham Farm, Braunton

(i) that a further and final fixed term Farm Business Tenancy of the 77.30 acres or thereabouts of bare land at Middle Winsham Farm, Braunton be granted to the tenant of Chapel Farm, Marwood for a term of 12 months commencing 25 March 2016 and expiring 25 March 2017, subject to terms being agreed;

(ii) that consideration of amalgamating the 77.30 acres or thereabouts of bare land forming part Middle Winsham Farm with the principal holding (Middle Winsham) for a term of four years from 25 March 2017 to 25 March 2021, subject to terms being agreed, be deferred pending the submission by the tenant of Middle Winsham Farm of a Business Plan (supported by cashflows and budgets) for the land involved and the tenant being interviewed by the Committee;

(iii) that the 46.02 acres or thereabouts of bare land forming part Middle Winsham Farm be amalgamated with the principal holding (Middle Winsham) for a term of three years from 25 March 2018 to 25 March 2021, subject to terms being agreed;

(b) Land at Newcombes and Glebe Farms, Roborough

that the land at Newcombes and Glebe Farms, Roborough be advertised to let in two lots and in internal competition between the tenants of Furze Barton Farm, Ashreigney; Lower Farm, High Bickington; Lower Northchurch Farm, Yarnscombe and Great Blakewell Farm, Chittlehampton on a five year Farm Business Tenancy commencing 25 March 2017, subject to terms being agreed;

(c) Land at East Week Farm 2, North Tawton

that the 11.83 acres or thereabouts of land at part East Week Farm 2, South Tawton and more particularly known as OS 8375, 8300 and 9300 be advertised to let in internal competition between the tenants of Lower East Week Farm, South Tawton; East Week Farm 1, South Tawton; Smithcross Farm, Drewsteignton; Higher Fingle Farm, Drewsteignton and East Fingle Farm, Drewsteignton on a three year Farm Business Tenancy commencing 25 March 2017, subject to terms being agreed;

(d) Land at Southwoods Farm, Uffculme

that the 71.11 acres or thereabouts of land at Southwoods Farm, Uffculme be advertised to let in internal competition between the tenants of Great Southdown Farm, Burlescombe; Westcott Farm, Burlescombe; Higher Henland Farm, Kentisbeare; Lower Henland Farm, Kentisbeare; Dungeons Farm, Cullompton; and Tarrant's Farm, Payhembury on a five year Farm Business Tenancy commencing 25 March 2017 and expiring 25 March 2022, subject to terms being agreed;

(e) Little Stone Farm, South Molton

that subject to the tenant of Little Stone Farm, South Molton vacating the holding on the expiry of the incontestable Case A Notice to Quit they be granted a twenty one year and one day lease of the Little Stone Farm Cottage, South Molton from 25 March 2016, subject to terms being agreed.

***FE/101 Exclusion of the Press and Public**

RESOLVED that the press and public be excluded from the meeting for the following item of business under Section 100(A)(4) of the Local Government Act 1972 on the grounds that it involves 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.

***FE/102 Holdings and Tenancies: Request for Extension of Tenancy - East Fingle Farm, Drewsteignton**

The Committee considered the Report of the Head of Business Strategy & Support (BSS/16/4).

The tenant of East Fingle Farm and their spouse attended the meeting and gave a brief presentation in support of the application and responded to questions.

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

RESOLVED

(a) that the tenant of East Fingle Farm, Drewsteignton be invited to surrender their interest in this holding at 25 March 2016 and that they be granted a new Farm Business Tenancy of the same holding for a longer term of 11 years expiring 25 March 2027, subject to terms being agreed;

(b) that the length of tenancy be recognised as being in keeping with current policy for starter holdings, which allows a tenant to stay on a starter farm for a maximum term of 14 years.

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

The meeting started at 10.30am and finished at 12.30pm.

1. *The Minutes of this Committee are published on the County Council's Website at: <http://www.devon.gov.uk/dcc/committee/minutes.htm>*
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.*