

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 approved the recommendations as set out in the opening paragraph of section 1 of this report.

1.0 Furze Cottages Farm, Ashreigney

1.1 It is recommended that:

- (a) The committee grant the existing tenant of Furze Cottages Farm, Ashreigney a six month and final Farm Business Tenancy of the holding commencing 29 September 2018 and expiring 25 March 2019, subject to terms being agreed. Such terms to include:
 - (i) the Farm Business Tenancy being in accordance with the County Council's standard format.
 - (ii) the rent for the holding being set at its open market value, as defined in the Agricultural Tenancies Act 1995.
- (b) That in due course Furze Cottages Farm, Ashreigney be advertised to let on the open market on a seven year Farm Business Tenancy commencing 25 March 2019 and terminating 25 March 2026, subject to terms being agreed.

1.2 The Ashreigney Estate comprises:

Furze Cottages Farm	42.62 hectares (105.32 acres)
Furze Barton Farm	84.82 hectares (209.59 acres)
Firsdon Farm	1.78 hectares (4.40 acres)
Total	129.22 hectares (319.31 acres)

1.3 At the County Farms Estate Committee meeting of 28 April 2016, members resolved under Minute Ref. FE/6 – Actions taken under delegated powers:

'The committee noted the actions taken by the Chairman of the Cabinet and the Head of Business Strategy and Support in accordance with Part 3 of the County Council's Constitution.

1.4 The Agenda for the County Farms Estate Committee meeting recorded the delegated action referred to in 1.3 above as:

- (i) *'That the tenants surrender of his Agricultural Holdings Act 1986 retirement tenancy of Furze Cottages Farm, Ashreigney, effective at 25 March 2016, be accepted by the landlord, and the tenant be simultaneously re-granted a Farm Business Tenancy of Furze Cottages Farm for a term commencing 25 March 2016 and terminating 29 September 2018, subject to terms being agreed.*
- (ii) *'That in due course Furze Cottages Farm, Ashreigney be advertised to let on the open market on a seven and a half year Farm Business Tenancy commencing 29 September 2018 and terminating 25 March 2026, subject to terms being agreed.'*

1.5 The current tenant has asked whether or not he may be allowed to continue occupying the holding for a further 12 months, subject to terms being agreed. His reason being that he has not yet been able to provide his own residential accommodation for his pending retirement.

1.6 Members will note it is the Estates intention to relet Furze Cottages on the open market to a new entrant once the current tenant has vacated. It is arguably more cost effective and a more efficient and easier start for a new entrant to take over a farm and start farming in the spring, as opposed to making the same start in the Autumn. From the Estates point of view therefore, it would make logical sense to allow the current tenant to continue farming the holding, under a new lease, for a further term of six months. There is no compelling argument or rationale for allowing the current tenant to continue occupying the holding for a further year.

1.7 For the avoidance of doubt this request for an extension of tenancy is not considered to be in accordance with the policy contained within Appendix (v) of the Estates Strategic Review report thus the protocol adopted under minute Ref FE/75 on 17 May 2011 has not been implemented.

2.0 Options/Alternatives

2.1 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.

3.0 Consultations/Representations/Technical Data

3.1 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.

3.2 No other parties have been consulted and no other representations for or against the proposal have been received

3.3 The technical data is believed to be true and accurate.

4.0 Considerations

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

5.0 Summary/Conclusions/Reasons for Recommendations

5.1 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:

Torrington Rural

Local Government Act 1972: List of Background Papers:

None

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