

FARMS ESTATE COMMITTEE

5 December 2022

Present:-

Councillors J Yabsley (Chair), J Brook (Vice-Chair), J Berry, A Dewhirst, L Samuel, C Whitton and L Warner

* **51** **Minutes**

RESOLVED that the minutes of the meetings held on 23 and 26 September 2022 be signed as correct records.

* **52** **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

* **53** **Announcements**

The Chair made the following announcements:

- (a) Welcome to Mrs Saltmarsh who was attending the meeting in her capacity as a Co-opted Member of the Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework.
- (b) Megan Broom was the new Devon Federation of Young Farmers Clubs representative in place of Rupert Shinner.

* **54** **Revenue Monitoring 2022/23 (Month 7)**

The Committee received the Report of the Director of Finance and Public Value (DF/22/112) on the County Farms Estate Revenue Monitoring (Month 7) 2022/23, noting the target surplus of £534,000, which was an increase of £70,000 on the previous year's target, and detailing income and expenditure to date.

Members' questions and discussion included:

- Rising inflation meant that less maintenance work could be afforded with the same budget provision and programmed maintenance works had to be carefully prioritised.
- Every Estate farm had an asbestos register and asbestos management plan in place. Inspections of known and visible asbestos were carried out annually. Contractors were instructed to always check the asbestos register before any landlord's works were undertaken. Tenants were

also advised to check the register when they, or contractors on their behalf, were carrying out any works. The landlord would also commission a HSG264 survey if invasive landlord's works were planned to ensure, as far as was practicably possible, the works would not disturb any hidden or unknown asbestos.

- The budget for tree survey work was proving adequate and, the Council as landlord, was responsible for all trees that needed attention or clearing, under the terms of the farm tenancies.
- The majority of tenants paid their rent by direct debit in 10 instalments through the year thereby aiding cashflow for tenants (particularly the dairy tenants in receipt of monthly milk cheques) and minimising the risk of rental arrears.

* **55** **Capital Monitoring 2022/23 (Month 7)**

The Committee received the Report of the Director of Finance and Public Value (DF/22/111) on the County Farms Estate Capital Monitoring (Month 7) 2022/23, noting that the approved capital programme for 2022/23 included schemes totalling £1,000.00.

It was also noted that an 'underspend' of £25,787 in 2021/22 and an in-year receipt of £30,000 brought the balance of capital available to spend in 2022/23 to £1,055,787.

As requested at the last Committee meeting, the Report also included a schedule of all County Farms Estate disposals that had been completed by Month 7 and contributed towards the Corporate Capital Programme.

Discussion points with Members and Officers included:

- Members requested that future schedules of disposals shown at paragraph 6.2 of the Report also included a column for hectares sold.
- As the receipts from disposals (£6.3m) were fed into the Corporate Capital Programme, the Estate continued to bid for funding in line with other competing service needs of the Council.
- Due to inflationary pressures, Members asked how far adrift the refurbishment programme was likely to be from what was proposed at the start of the year, which Officers agreed to look at.

* **56** **Management and Restructuring Issues**

The Committee considered the Report of the Head of Digital Transformation and Business Support (Interim) BSS/22/15) on the County Farms Estate Management and Restructuring issues relating to Part Cordwents Farm, Halberton.

Although the land in question was not allocated for development in the Local Plan, the Council had promoted it through previous Local Planning Authority 'calls for sites' exercises. Plans were tabled by the Land Agent to assist Members with their decision-making.

Discussion points included:

- The proposed five year tenancy of the one acre of land or thereabouts would likely be restricted to community growing shared space rather than individual allotments.
- To reduce environmental impact, it was suggested that sustainable travel be encouraged to access the one acre site during discussions with the Parish Council, although it was noted that the Grand Western Canal carpark was nearby.

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

RESOLVED that

- (i) the Halberton Parish Council be granted a new 10 year security of tenure excluded common law tenancy of the property known as 'The Mead' in Halberton for a term commencing 25 March 2025 and expiring 25 March 2035 subject to terms being agreed. Such terms to include:
 - (a) Allowing the use of the site to be extended to accommodate temporary and portable skate park.
 - (b) Allowing the siting of a temporary and portable sports changing room facility.
 - (c) An annual break clause should the land be required for any form of alternative use or development.
 - (d) A right of access for the landlord to carry out all or any surveys and investigations associated with the potential for any form of alternative use or development.
 - (e) A 'lift and shift' clause requiring the Parish Council to remove all apparatus and other infrastructure from the land prior to end of tenancy.
- (ii) the Halberton Parish Council be granted a five year security of tenure excluded common law tenancy of one acre or thereabouts of land in the North West Corner of NG0004 (adjoining the permissive path) forming part Cordwents Farm, Halberton for the sole use of providing a community growing space, subject to terms being agreed, and that users of the land be encouraged to access the land by means of sustainable travel.

* **57** **The Rock Review: Working together for a thriving agricultural tenanted sector (October 2022)**

The Committee received the Report of the Head of Digital Transformation and Business Support (Interim) with the appended Rock Review: Working together for a thriving agricultural tenanted sector (October 2022).

The Report set out a brief summary of just one small section of the Review and focused solely on the comments, observations and recommendations relating to Council Farms. It was however noted that there were far more wide ranging recommendations that if accepted and actioned would assist greatly the success of the wider tenanted farming sector.

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

RESOLVED that the findings of the Rock Review and in particular the recognition of the vitally important role Council Farms play in the tenanted sector be welcomed.

* **58** **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.

* **59** **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) **Requests for Extensions of Tenancy**

The Committee considered the Report of the Head of Digital Transformation and Business Support (BSS/22/17), setting out requests for extensions of tenancy.

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

RESOLVED that should the tenant of Prixford Barton Farm, Marwood be granted a five year Farm Business Tenancy of the land at Middle Winsham Farm, Braunton he be invited to surrender his interest in Prixford Barton Farm at 25 March 2023 so that he can be granted a new Farm Business Tenancy of Prixford Barton Farm for a longer term of nine years expiring 25 March 2032, subject to terms being agreed.

* (b) **Future Development Potential Opportunities**

(Councillor Dewhirst declared a personal interest in this item by virtue of being a member of the Teignbridge District Council Planning Committee.)

The Committee received the Report of the Head of Digital Transformation and business Support (BSS/22/18), setting out future development potential opportunities. The Report was for information and awareness purposes only at this stage.

Members stressed the importance of retaining some capital for essential infrastructure improvements and to reinvest in the purchase of some land to ensure the size of the Estate was kept as close to the 10,000 acre target as possible.

Members discussed the Report and noted the amendments verbalised at paragraph 3.6.

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 3.56 pm

