

FARMS ESTATE COMMITTEE

20 February 2023

Present:-

Councillors J Yabsley (Chair), J Brook (Vice-Chair), A Dewhirst, H Gent, L Samuel, C Whitton, M Broom and L Warner

Apologies:-

Councillor J Berry

* **69** **Minutes**

RESOLVED that the minutes of the meetings held on 5 December, 19 December, 20 December 2022 and 9 January 2023 be signed as correct records.

* **70** **Items Requiring Urgent Attention**

The Chair asked the Committee if they would consider item 7 about the Use of Glyphosate in the Agricultural Industry as the first main item on the agenda to allow the guest speakers to present and then leave the meeting. It was **MOVED** by Councillor Brook and **SECONDED** by Cllr Dewhirst and **RESOLVED** this item be considered next on the agenda.

There were no other items raised as a matter of urgency.

* **71** **The Use of Glyphosate in the Agricultural Industry**

The Committee received a presentation from advisers from the National Farmers Union (NFU) regarding the use of Glyphosate in agriculture. This explained that the chemical compound was used in most herbicides in the agricultural and horticultural industries and had been in use for nearly 50 years. Glyphosate was approved for use in the European Union (EU) until 15 December 2022. The five year approval was granted by the European Commission (EC) in 2017 following separate assessments by the European Food Safety Authority (EFSA) and the European Chemical Agency (ECHA). The approval was extended for one year until 15 December 2023. Members were told there was no like for like replacement for it and alternative methods were more costly and could be more labour intensive. In 2021 a rapporteur Member State report on Glyphosate had concluded that the classification of glyphosate for mutagenicity, reproductive toxicity, specific target organ toxicity, and carcinogenicity were not justified. The report also stated that glyphosate cannot qualify as an endocrine disruptor.

Members questions and discussion points raised including:

- The importance of glyphosate for min-till or no-till farming operations and therefore climate change
- Conflicting findings on the potential damage to health although the majority of evidence concluded it was unlikely to be carcinogenic
- The costs involved in controlling weeds and looking after crops without glyphosate
- Tenants would be at a financial disadvantage if the Council prevented the use of an otherwise lawful and highly regulated herbicide on the Estate
- Recognition that farmers were probably more targeted in their use of glyphosate than perhaps in the past
- The higher price of organic produce is likely to be associated, in part, with the more labour intensive farming practices required in the absence of herbicides
- Ensuring the committee kept up to date about any changes in this area as safety was the top priority

Cllr Gent requested it be formally noted that he was not in favour of trying to prevent tenants from using glyphosate.

After consideration of the presentation, discussion and debate it was agreed that the Committee was content that tenant farmers should be able to continue to use glyphosate on council owned land while it remained a lawfully permitted and highly regulated product as part of a prudent Integrated Pest Management Plan.

* **72** **Revenue Monitoring (Month 10) 2022/23**

The Committee received the Report of the Director of Finance and Public Value (DF/23/21) on the County Farms Estate Revenue Monitoring (Month 10) 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.

The report covered income and expenditure on tenant right valuation accruals, repair works, redundant buildings, testing and inspection works, tree survey work and building maintenance.

There was a Committee Member question about the current position of the maintenance programme. The meeting was informed the spend profile at year to date was behind schedule due to awaiting tenders and prioritising contracts exacerbated by construction industry inflation and volatility in pricing. However, there would be an improvement in the situation very soon as a number of tenders for works programmed to be substantially completed in year were about to be signed off. It was highlighted that there would remain a lower priority maintenance backlog to be addressed in future years due to limits to the budget.

The Committee **ENDORSED** the report.

* **73** **Capital Monitoring (Month 10) 2022/23**

The Committee received the Report of the Director of Finance and Public Value (DF/23/20) on the County Farms Estate Capital Monitoring (Month 10) 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.

Members’ questions and discussion included:

- Capital Farm Estate disposals where acreage sold showed as nil – this was due to an overage payment and a deed of variation where on land is sold.
- The use of PV panels for generating electricity - these were only used where it was thought suitable after consideration of the orientation, slope, shading, and structure of the building

The Committee **ENDORSED** the report.

* **74** **Management and Restructuring Issues**

The Committee considered the Report of the Head of Digital Transformation and Business Support (Interim) (BSS/23/01) on the County Farms Estate Management and Restructuring issues.

(1) Land at Glebe Farm, West Putford

It was **MOVED** by Councillor Gent **SECONDED** by Councillor Brook and

RESOLVED that the 27.85 hectares (92.90 acres) or thereabouts of bare land at Glebe Farm, West Putford be advertised to let in internal competition between the tenants of Merrifield Farm, Holsworthy; North Hele Farm, Buckland Brewer; and Lower Alminstone Farm, Woolserly on a five 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 25 March 2024, subject to terms being agreed.

(2) Part Beara Down Farm, Bratton Fleming

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

RESOLVED that:

- (a) the farmstead, comprising NG 9089 and extending to 1.32 acres or thereabouts be declared permanently surplus to the requirements of the estate and sold for residential development with outline planning consent as soon as practically possible.
- (b) the 16.45 hectares (40.65 acres) or thereabouts of bare land at Beara Down Farm, Bratton Fleming be advertised to let in internal competition between the tenants of Beara Down Farm, Bratton Fleming; Chapel Farm, Marwood; Prixford Barton Farm, Marwood; Little Stone Farm, South Molton; Great Stone Farm, South Molton; and Great Blakewell Farm, Chittlehampton, on the following subject to contract basis:
- (i) *the 26.05 acres of land or thereabouts forming part Beara Down Farm and more particularly described as OS 0800, 0805, 1500, 3122, 4425 and 5625 be let on a further separate five year Farm Business Tenancy commencing 25 March 2024;*
 - (ii) *parts NG 7200, 0005 and 9793 extending to 12.87 acres or thereabouts of bare land be let to the same tenant as (i) above but on a series of consecutive 12 month Farm Business Tenancy Agreements until 25 March 2029 or until such times as the development potential of the land can be realised, whichever the earlier; and*
 - (iii) *part NG 0005 amounting to 1.73 acres or thereabouts of bare land be let to the same tenant as (i) and (ii) above but on a series of consecutive seasonal grazing agreements until 25 March 2029 or until such times as the prospective buyers complete on the subject to contract and planning purchase, whichever the earlier.*

(3) Part Higher Henland Farm, Kentisbeare

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

RESOLVED that Part Higher Henland Farm Kentisbeare, amounting to 9.89 hectares (24.45 acres) or thereabouts of bare land be advertised to let in internal competition between the tenants of Higher Henland Farm, Kentisbeare; Lower Henland Farm, Kentisbeare; Westcott Farm, Burlescombe; Great Southdown Farm, Burlescombe; Dungeons Farm, Cullompton; Tarrants Farm, Payhembury; and Perriton Barton Farm, Whimple on a five 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 25 March 2024, subject to terms being agreed.

(4) Dungeons Farm, Cullompton

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

RESOLVED that the farmhouse, buildings and 65.11 hectares (160.01 acres) or thereabouts of land at Dungeons Farm, Cullompton 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.

(5) Lower Uppacott Farm, Mariansleigh

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

RESOLVED that the farmhouse, buildings and 34.56 hectares (85.45 acres) or thereabouts of land at Lower Uppacott Farm, Mariansleigh be advertised to let on the open market as a new entrant opportunity and on a Farm Business Tenancy for a term of seven years commencing 25 March 2024 and terminating 25 March 2031, subject to terms being agreed.

(6) Glebe Farm, Rattery

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

RESOLVED that NG 8938 and Part 0037 amounting to 0.64 acres or thereabouts be declared permanently surplus to the requirements of the Estate and sold for residential conversion with the benefit of Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.

(7) Higher Fingle Farm, Drewsteignton

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

RESOLVED that:

- (a) The tenant's proposed surrender of Higher Fingle Farm, Drewsteignton at 25 March 2025 be accepted subject to an Agreement to Surrender and a Deed of Surrender being signed before 25 March 2023.
- (b) The tenant's proposed surrender of the 27.97 hectares (69.11 acres) of land at Great Parks Farm, Crediton at 25 March 2025 be accepted subject to an Agreement to Surrender and a Deed of Surrender being signed before 25 March 2023.
- (c) The tenant's proposed surrender of the 11.86 hectares (28.61 acres) of land at East Week Farm, South Tawton at 25 March 2024 be accepted subject to an Agreement to Surrender and a Deed of Surrender being signed before 25 March 2023.

- (d) It be acknowledged and accepted that the current tenant of Higher Fingle Farm, Drewsteignton be allowed to vacate the farmhouse and farm another commercially viable holding rented locally in the private sector during a transitional and phased progression move between 25 March 2023 and 25 March 2025.
- (e) The farmhouse, buildings and 22.83 hectares (56.41 acres) or thereabouts of land at Higher Fingle Farm, Drewsteignton be advertised to let on the open market as a new entrant opportunity and on a Farm Business Tenancy for a term of seven years commencing 25 March 2025 and terminating 25 March 2032, subject to terms being agreed.
- (f) The 27.97 hectares (69.11 acres) or thereabouts of bare land at Part Great Parks Farm, Crediton be advertised to let in internal competition between the tenants of Lower Parks Farm, Crediton; Middle Yeo Farm, Down St Mary; Endfield Farm, Sandford; and Lower Chitterely Farm, Bickleigh on a five 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 25 March 2025, subject to terms being agreed.
- (g) The 16.76 hectares (40.44 acres) or thereabouts of bare land at East Week Farm be advertised to let in internal competition between the tenants of East Week Farm (land), South Tawton; Smithscross Farm, Drewsteignton; and East Fingle Farm, Drewsteignton on a five 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 25 March 2024, subject to terms being agreed.

* **75** **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.

* **76** **Business Case for harvesting methane from slurry**

The Committee received a presentation and agreed in principle to go ahead with the proposal, subject to finance and contractual terms being agreed.

* 77 **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)

The Committee considered the Report of the Head of Digital Transformation and Business Support (Interim) (BSS/23/02) on a request for landlord's consent for proposed tenant's improvements.

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

RESOLVED that landlord's consent be granted for the tenant of Great Stone Farm, South Molton to construct a 240' x 55' steel portal frame 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.

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 4.33 pm