

The County Farms Estate The Agricultural Landlord and Tenant Code of Practice

Report of the Director of Transformation and Business Services

Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.

1) Recommendation

That the Committee endorse the Code of Practice.

2) Background / Introduction

2.1 Recommendation 2 of the of the Rock Review: working together for a thriving agricultural tenanted sector proposed that 'DEFRA should commission a piece of work to produce a Code of Practice on how landlords, occupiers [tenants], and agents can be expected to behave in a way that is socially responsible'

2.2 The Governments response to the Rock Review (published May 2023) agreed, and stated:

The Review is concerned that there can be a power imbalance in the relationship in the tenant-landlord relationship. The Review highlights that whilst many landlords and land agents do work collaboratively and progressively with their tenants, some landlords are absent or have negative relationships. This can result in poor mental health and stress for some tenant farmers and their families.

We agree with the Review's recommendation that Defra and sector trade bodies should address this by commissioning an industry-led code of practice to set out standards of expected behaviour for all parties in the sector and to help encourage more collaborative tenant-landlord relationships (recommendation 2).

2.3 A cross sector Expert Working Group was convened to draft the Code of Practice under the supervision and guidance of The Farm Tenancy Forum. The final version of the Code, endorsed by all key industry stakeholders, was launched on the 8th April 2024.

2.4 A copy of the Code of Practice is attached at Appendix 1.

2.5 It is important to note that all parties involved are expected to apply the spirit of the Code in all dealings. That includes landlords, tenants, agents, advisers, and lawyers.

2.6 The County Council's standard FBT templates will be updated to include the following additional clause drafted by the CAAV.

9.1 The landlord and tenant will have regard to the Agricultural Landlord and Tenant Code of Practice for England (as published in April 2024) in their dealings with each other in relation to this Agreement and the Holding.

3) Options / Alternatives

3.1 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.

4) Consultations / Representations / Technical Data

4.1 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.

4.2 No other parties have been consulted and no other representations have been received

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

5) Strategic Plan

5.1 This report has no specific direct alignment with the Council's Strategic Plan 2021 – 2025 - <https://www.devon.gov.uk/strategic-plan>

6) Financial Considerations

6.1 The Author is not aware of any financial issues arising from this report.

7) Legal Considerations

7.1 The Author is not aware of any legal issues arising from this report.

8) Environmental Impact Considerations (Including Climate Change, Sustainability and Socio-economic)

8.1 The Author is not aware of any environmental impact (including climate change) issues arising from this report.

9) Equality Considerations

9.1 The Author is not aware of any equality issues arising from this report.

10) Risk Management Considerations

10.1 No risks have been identified.

11) Summary / Conclusions / Reasons for Recommendations

11.1 The Author has prepared this report in accordance with the findings of the County Farms Estate Strategic Review (April 2010).

Matthew Jones,
Director of Transformation and Business Services

Electoral Divisions: All

Local Government Act 1972: List of background papers

Background Paper

Date

File Reference

Nil

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