

FARMS ESTATE COMMITTEE

15 May 2018

Present:-

County Councillors

Councillors C Chugg (Chair), J Brook, A Dewhurst, T Inch and C Whitton

Co-opted Members:-

Mrs L Warner (Tenants' representative)

Apologies:-

Councillors J Berry and J Yabsley

* **40** **Minutes**

RESOLVED that the minutes of the meetings held on 12 February 2018 and 4 April 2018 be signed as correct records.

41 **Chair's Announcements**

The Chair welcomed Sir Simon Day who was attending the meeting in his capacity as a Co-opted Member of the County Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework.

* **42** **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

43 **Revenue Monitoring (Final Outturn) 2017/18 and Revenue Monitoring (Month 1) 2018/19**

The Committee received the Report of the County Treasurer (CT/18/46) on the County Farms Estate Revenue Monitoring (Final Outturn) 2017/18 and Revenue Budget for 2018/19, noting that:

(a) the final outturn for 2017/18 provided a net surplus of £394,000 compared to the target surplus of £382,000; and

(b) the target surplus of £414,000 for 2018/19 included an increased surplus of £32,000 from 2017/18.

44 **Capital Monitoring (Final Outturn) 2017/18 and Capital Monitoring (Month 1) 2018/19**

The Committee received the Report of the County Treasurer (CT/18/47) on the County Farms Estate Capital Programme Final Outturn for 2017/18 and Capital Budget for 2018/19, noting that:

(a) the Final Outturn at 2017/18 showed total expenditure of £778,599, scheme slippage of £1,068,360 and savings of £236,595 against a capital programme of £2,083,554; and

(b) the approved Capital Programme for 2018/19 totalled £600,000 which, together with scheme slippage of £1,068,360 for 2017/18 and savings of £236,595 available for reallocation, take the total capital scheme for 2018/19 to £1,904,955.

45 Management and Restructuring Issues

The Committee received the Report of the Head of Digital Transformation and Business Support (BSS/18/03) on County Farms Estate Management and Restructuring issues.

Furze Cottages Farm, Ashreigney

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

RESOLVED

- (a) that the existing tenant of Furze Cottages Farm, Ashreigney be granted 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 the Farm Business Tenancy being in accordance with the County Council's standard form and 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.

*** 46 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.

*** 47 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) The Committee received the Report of the Head of Digital Transformation and Business Support (BSS/18/04) relating to Perriton Barton Farm, Whimble.

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

RESOLVED

- (i) that the existing tenant of Perriton Barton Farm, Whimble be granted a three year and final Farm Business Tenancy of the holding commencing 25 March 2019 and expiring 25 March 2022, subject to terms being agreed, such terms to include:
 - (A) the Farm Business Tenancy being in accordance with the County Council's standard form;
 - (B) the rent for the holding being set at its open market value, as defined in the Agricultural Tenancies Act 1995; and

- (C) the tenant committing to a programme of remedial works to tidy the farmstead and put right tenant's repair and maintenance liabilities in advance of the farm being advertised to let on the open market in 2021;
 - (D) that the existing tenant of Perriton Barton Farm, Whimble produce his last three years' trading accounts for consideration to ensure the business is financially viable before the proposed Farm Business Tenancy terms are negotiated.
- (ii) that, in due course, Perriton Barton Farm, Whimble be advertised to let on the open market on a seven year Farm Business Tenancy commencing 25 March 2022 and terminating 25 March 2029, subject to terms being agreed.
- (b) The Committee received the Report of the Head of Digital Transformation and Business Support (BSS/18/05) on a request for landlord's consent for proposed tenant's improvements.

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

RESOLVED

- (i) that landlord's consent be granted for the tenant of Higher Fingle Farm, Drewsteignton to construct a 75' x 40' or thereabouts and 11' to eaves steel portal framed building, complete with corrugated iron roof cladding and rain water goods, subject to the improvements being written down in value to £100 on a straight line basis over a life expectancy of 20 years;
- (ii) that all side cladding, suspended floor, windows and doors, internal ceilings and walls, and fixtures, fittings and services etc. be treated as tenant's fixtures to be removed by the tenant at the end of the tenancy unless the multi-functional facility is capable of being taken over by the next tenant of the holding as a going concern; and
- (iii) that landlord's consent for the multi-functional facility be granted on the basis that there be no goodwill or intangible advantage compensation payable to the tenant at the end of the tenancy.

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

The Meeting started at 2.15 pm and finished at 2.53 pm

*1. The Minutes of this Committee are published on the County Council's Website.
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.*

