

## FARMS ESTATE COMMITTEE

20 May 2019

Present:

County Councillors

Councillors R Edgell (Chair), J Brook, J Berry, T Inch, C Whitton and J Yabsley

Co-opted Members

L Warner (Tenants' representative)

Apologies

Councillors A Dewhirst and H Bellew

\* 86

**Minutes**

**RESOLVED** that the minutes of the meeting held on 25 February 2019 be signed as a correct record.

\* 87

**Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

\* 88

**Announcements**

The Committee extended their thanks to all those involved in the organisation of the Farmwise event at the Devon County Show and the Committee also wished NPS Land Agent, Claire Sampson good luck on her move to the Dartmoor National Park after 13 years of working on the County Farms Estate.

\* 89

**Revenue Monitoring (Final Outturn) 2018/19 and Revenue Budget 2019/20**

The Committee received the Report of the County Treasurer (CT/19/51) on the County Farms Estate Revenue Monitoring (Final Outturn) 2018/19 and Revenue Budget 2019/20, noting that the final outturn for 2018/19 provided a net surplus of £412,000 compared to the target surplus of £414,000; and that the increased target surplus for 2019/20 was £464,000.

The Committee was further informed that the £50,000 increase in target surplus for 2019/20 was expected to be realised as a result of increased income generation and not via savings in running costs.

\* 90

**Capital Monitoring (Final Outturn) 2018/19 and Capital Budget 2019/20**

The Committee received the Report of the County Treasurer (CT/19/50) on the County Farms Estate Capital Monitoring (Final Outturn) 2018/19 and Capital Budget 2019/20, noting that:

- (a) the approved capital programme for 2018/19 included new schemes totalling £600,000, scheme slippage and savings from 2017/18 of £1,304,955, and an insurance provision of £19,122 all of which combined to resulted in a total capital scheme for 2018/19 of £1,924,077. Total spend against the 2018/19 capital programme was £1,365,740 resulting in slippage of £558,337 to 2019/20.

No land acquisitions were made during 2018/19.

- (b) the total capital budget for 2019/20 was £1,158,337, which included new schemes totalling £600,000 and scheme slippage of £558,337 from 2018/19.

\* **91**      **Management and Restructuring Issues**

The Committee considered the Report of the Head of Digital Transformation and Business Support (BSS/19/05) on the County Farms Estate management and restructuring issues.

**Merrifield Farm, Holsworthy**

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

**RESOLVED**

- (a) that the tenant's surrender notice of Merrifield Farm be accepted, and the tenant be released from the holding at 25 March 2020; and
- (b) that Merrifield Farm be advertised to let as a 73.30 acre or thereabouts residential equipped mixed livestock starter farm on the open market for a term commencing 25 March 2020 and expiring 25 March 2027, subject to terms being agreed.

\* **92**      **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.

\* **93**      **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 (BSS/19/04) on requests for extension of tenancy, with the respective tenants in attendance:

(a)      **Lomans Farm, Broadhempston**

The extension to tenancy request was in keeping with current policy for starter holdings, which allowed a tenant to stay on a starter farm for a maximum term of 14 years.

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

**RESOLVED** that the tenant of Lomans Farm, Broadhempston be granted a further but final 12 month Farm Business Tenancy of the holding commencing 25 March 2020 and terminating 25 March 2021, subject to terms being agreed.

(b)      **Higher Bradaford Farm, Virginstow**

The extension to tenancy request was in keeping with current policy, which allowed a tenant to stay on the Estate for a maximum term of 25 years.

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

**RESOLVED** that the tenant of Higher Bradaford Farm, Virginstow be granted a further but final two year Farm Business Tenancy of the holding commencing 25 March 2020 and terminating 25 March 2022, subject to terms being agreed.

(c) **Southacott Farm, Mariansleigh**

The Committee noted the tenancy extension request was contrary to the general aims of the Estate but listened to the tenant present a genuine and achievable business case for progression beyond the Estate within the two year extension period.

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

**RESOLVED**

- (i) that the tenant of Southacott Farm, Mariansleigh be granted a further but absolute final two year Farm Business Tenancy of the holding commencing 25 March 2020 and terminating 25 March 2022, subject to terms being agreed;
- (ii) that further extensions to tenancy will not be granted;
- (iii) that this resolution is conditional on the tenant providing by the end of November 2019:
  - (1) evidence of a sufficient and confirmed mortgage/loan facility from the Bank;
  - (2) a copy of the submitted and validated planning application for the proposed development;
  - (3) evidence of a conditional contract being worked on with a view to exchange of conditional contracts taking place before planning consent is granted; and
- (iv) that this resolution is also conditional on the tenant agreeing an upfront valuation of the end of tenancy compensation for tenant's improvements, fixtures, fittings and chattels, and agreeing an indication of the likely value of the end of tenancy compensation for routine improvements, by the end of November 2019.

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

The Meeting started at 2.15 pm and finished at 3.55 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.*

