

FARMS ESTATE COMMITTEE

21 September 2020

Present:

County Councillors

Councillors R Edgell (Chair), J Brook, C Chugg, A Dewhirst, T Inch and C Whitton

Co-opted Members

Mrs L Warner (Tenants' representative)

Apologies

Councillors J Berry

* 130

Minutes

RESOLVED that the minutes of the meetings held on 24 February 2020, 27 July 2020 and 10 August 2020 be signed as correct records.

* 131

Items Requiring Urgent Attention

There was no matter raised as a matter of urgency.

* 132

Announcements

The Chair welcomed Mrs Saltmarsh to the meeting who was attending 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.

* 133

Revenue Monitoring (Final Outturn) 2019/20, Revenue Budget 2020/21 and Revenue Monitoring (Month 5) 2020/21

The Committee received the Report of the County Treasurer (CT/20/73) on the County Farms Estate Revenue Monitoring (Final outturn) 2019/20, Revenue Budget 2020/21, and Revenue Monitoring (Month 5) 2020/21, noting the target surplus for 2020/21 of £464,000 and providing a summary of the annual budget and detailing income and expenditure to date.

* **134** **Capital Monitoring (Final Outturn) 2019/20, Capital Budget 2020/21 and Capital Monitoring (Month 5) 2020/21**

The Committee received the Report of the County Treasurer (CT/20/71) on the County Farms Estate Capital Monitoring (Final Outturn) 2019/20, Capital Budget 2020/21 and Capital Monitoring (Month 5) 2020/21, noting that the approved capital programme for 2020/21 included schemes totalling £600,000. There was an overspend of £30,888 in 2019/20 thus the balance of capital available to spend in 2020/21 amounted to £569,112.

The Committee noted that there was one land acquisition opportunity currently being explored for which additional capital funding was being requested.

* **135** **The County Farms Estate Annual Report 2019/20**

The Committee received the Report of the County Treasurer (CT/20/72) incorporating the 29th Annual Report of the County Farms Estate. The Annual Report 2019/20 covered the Committee's functions, financial performance, Estate management performance, and highlighted notable Estate achievements and events.

Members noted the report and welcomed the capital investment made in eight farmhouse renovation and improvement schemes.

* **136** **Management and Restructuring Issues**

The Committee considered the Report of the Head of Digital Transformation and Business Support (BSS/20/02) on County Farms Estate management and restructuring issues.

Land at Cofton Cross, Dawlish

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

RESOLVED

- (a) that the Case G Notice to Quit served on the personal representatives of the late tenant of the land at Cofton Cross be upheld; and
- (b) that the land at Cofton Cross be offered to the family of the deceased tenant on a series of consecutive fixed term 12 month Farm Business Tenancy Agreements commencing 25 March 2022 until such times as the land may be required for any form of alternative use, subject to terms being agreed each year.

Land at Endfield Farm, Sandford

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

RESOLVED

- (a) that the tenant of Endfield Farm, Sandford be invited to surrender his lease of OS 7400, 0005, 6200, 5203 and 5200; and
- (b) that OS 7400, 0005, 6200, 5203 and 5200 forming part Endfield Farm, Sandford and amounting to 11.52 acres or thereabouts be declared permanently surplus to the requirements of the Estate so that it can be sold to the tenant of Endfield Farm, Sandford.

Part Westcott Farm, Burlescombe

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

RESOLVED

- (a) that the tenant of Westcott Farm, Burlescombe be invited to surrender his lease of OS 7429; and
- (b) that OS 7429 forming part Westcott Farm, Burlescombe and amounting to 2.14 acres or thereabouts be declared permanently surplus to the requirements of the Estate so that it can be sold to the tenant of Westcott Farm, Burlescombe.

* 137

Collaboration with North Devon UNESCO Biosphere Reserve Partnership

The Committee considered the Report of the Head of Digital Transformation and Business Support (BSS/20/04) on the County Farms Estate collaboration with the North Devon UNESCO Biosphere Reserve Partnership.

The County Farms Estate had approximately 20 properties within the area of the UNESCO Biosphere Reserve and Devon County Council had a policy of supporting and promoting sustainable development, including sustainable rural economies, using its farm estate as a key asset for demonstrating and assisting these policy areas.

The Chair reported on the Biosphere Community Orchards Challenge where grant funding was available to landowners within the Biosphere Reserve, details of which would be circulated to Estate tenants by the Council's land agent.

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

RESOLVED that all potential opportunities to utilise the assets of the County Farms Estate and to work collaboratively with Estate tenants for the benefit of the North Devon UNESCO Biosphere Reserve Partnership be explored.

* **138** **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.

* **139** **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 **Request for Landlord's Consent**

(Mrs Warner declared a disclosable pecuniary interest in this item by virtue of being a County Farms Estate Tenant of Lower Henland Farm, Kentisbeare and left the meeting during the Committee's consideration of paragraph 2 of Report BSS/20/03.)

The Committee considered the Report of the Head of Digital Transformation and Business Support (BSS/20/03) on requests for Landlord's consent.

Lower Henland Farm, Kentisbeare

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

RESOLVED that Landlord's consent be granted for the tenant of Lower Henland Farm, Kentisbeare to construct two separate 60' x 30' x 12' to eaves galvanized steel portal frame buildings complete with natural grey reinforced fibre cement corrugated roof sheets (8 no. roof lights) at 12.5 degree pitch, alternating close fitting crown cranked ridge and barge boards; rainwater goods to be 6" PVC guttering and 4" downpipes etc; Yorkshire board cladding to both gable ends and rear elevation down to 2.4m off ground level; both gable ends and rear elevation be infilled with dungboard walls; and the floor be compacted stone with further compacted stone access track and apron, subject to the improvement being written down in value to £100 on a straight line basis over a life expectancy of 25 years.

(Mrs Warner re-joined the meeting.)

Westcott Farm, Burlescombe

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

RESOLVED

- (a) that Landlord's consent be granted for the tenant of Westcott Farm, Burlescombe to construct a 90' x 70' x 15' to eaves steel portal frame cubicle shed to accommodate additional cows, subject to the cubicle beds and divisions being portable so that the building can be used for an unrestricted range of agricultural uses by future tenants and subject also to the improvement being written down in value to £100 on a straight line basis over a life expectancy of 20 years if the steel work is painted or 25 years if the steel work is galvanised.
- (b) that Landlord's consent be granted for the tenant of Westcott Farm, Burlescombe to construct a 90' x 70' x 15' to eaves steel portal frame general purpose/loose housing shed to accommodate dry cows and youngstock, subject to the improvement being written down in value to £100 on a straight line basis over a life expectancy of 20 years if the steel work is painted or 25 years if the steel work is galvanised.

* b **Monitoring of Tenants on Initial Farm Business Tenancy**

The Committee considered the Report of the Head of Digital Transformation and Business Support (BSS/20/05) on the monitoring of Tenants on an initial farm business tenancy.

The Report contained a typographical error in that Councillor Edgell was not present as stated in paragraph 2.13.1 of the Report.

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

RESOLVED that letters be sent to the tenants of Churchlands Farm; Coppa Dolla Farm; Fairfield Farm; Moorhouse Farm; East Catkill Farm; Ten Oaks Farm; and Manor Farm confirming a satisfactory level of competence had been attained to date.

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

RESOLVED

- (a) that the tenant of New Ford Farm, Rockbeare be offered a second but final seven-year Farm Business Tenancy of the holding for a term commencing 25 March 2022 and terminating 25 March 2029, subject to terms being agreed;

- (b) that the tenant of Waterford Farm, Musbury be offered a second but final seven-year Farm Business Tenancy of the holding for a term commencing 25 March 2022 and terminating 25 March 2029, subject to terms being agreed;
- (c) that the tenant of Nutcombe Farm, Rose Ash be offered a second but final seven-year Farm Business Tenancy of the holding for a term commencing 25 March 2022 and terminating 25 March 2029, subject to terms being agreed;
- (d) that the tenant of Lower Farm, High Bickington be offered a second but final seven-year Farm Business Tenancy of the holding for a term commencing 25 March 2022 and terminating 25 March 2029, subject to terms being agreed.
- (e) that the tenant of Thorndon Farm, Broadwoodwidge be offered a second but final seven-year Farm Business Tenancy of the holding for a term commencing 25 March 2022 and terminating 25 March 2029, subject to terms being agreed.
- (f) that the tenant of New Gulliford Farm, Dawlish be offered a second but final seven-year Farm Business Tenancy of the holding for a term commencing 25 March 2022 and terminating 25 March 2029, subject to terms being agreed.

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

The Meeting started at 2.15 pm and finished at 4.07 pm