

FARMS ESTATE COMMITTEE

26 September 2022

Present:-

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

Apologies:-

Councillors J Berry

* **44** **Minutes**

RESOLVED that the minutes of the meeting held on 16 May 2022 be signed as a correct record.

* **45** **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

* **46** **Revenue Monitoring (Month 5) 2022/23**

The Committee received the Report of the Director of Finance and Public Value (DF/22/86) on the County Farms Estate Revenue Monitoring (Month 5) 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.

Members' questions and discussion included:

- It was confirmed that the Council was responsible for all trees reserved to the landlord on the Estate regardless of their size or condition.
- Tenants would need landlord's consent for any tree planting schemes, for which the tenants would be responsible during their tenancy; and were considered on a case by case basis.
- Although summarised in the County Farms Estate Annual Report, Members also requested an update at each future meeting of capital generated by the Estate from sales.

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

RESOLVED that, in addition to the Annual Report, the Committee also receive an update at each future meeting on completed capital receipts (if any).

* **47** **Capital Monitoring (Month 5) 2022/23**

The Committee received the Report of the Director of Finance and Public Value (DF/22/85) on the County Farms Estate Capital Monitoring (Month 5) 2022/23, noting that the approved capital programme for 2022/23 included schemes totalling £1,000,000.

It was noted that an 'underspend' of £25,787 in 2021/22 and an in-year receipt (reimbursement) of £30,000 brought the balance of capital available to spend in 2022/23 to £1,055,787.

* **48** **Management and Restructuring Issues**

The Committee considered the Report of the Head of Digital Transformation and Business Support (Interim) BSS/22/12) on the County Farms Estate Management and Restructuring issues.

1. Lower East Week Farm, South Tawton

Members voiced concern at the loss of the Farm, but noted that in accordance with the objectives of the Estate Policy and Strategy it should not be retained and relet.

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

RESOLVED that

- (i) the Case G Notice to Quit served on the personal representatives of the late tenant of Lower East Week Farm, South Tawton be upheld and vacant possession of the holding be taken at 24 March 2024;
- (ii) OS 669, Pt 670 and Pt 578 forming part Lower East Week Farm, South Tawton comprising the house, buildings and 3.00 acres or thereabouts of land be declared permanently surplus to the operational requirements of the Estate and sold on the open market;
- (iii) the remaining bare land amounting to 60.00 acres or thereabouts be advertised to let in internal competition between the tenants of East Week Farm (land), South Tawton; Smithscross Farm, Drewsteignton; Higher Fingle Farm, Drewsteignton; and East Fingle Farm, Drewsteignton on a Farm Business Tenancy for a term of up to five years commencing 25 March 2024, subject to terms being agreed; and
- (iv) the Committee resolution of 29 November 2021 (Minute 13(a)) be superseded with the following proposal:

- (a) that the 11.83 acres or thereabouts of land at part East Week Farm II, South Tawton and more particularly known as NG 8375, 8300 and 9300 be advertised to let in internal competition between the tenants of East Week Farm (land), South Tawton; Smithscross Farm, Drewsteignton; Higher Fingle Farm, Drewsteignton; and East Fingle Farm, Drewsteignton on a 12 month Farm Business Tenancy commencing 25 March 2023 and expiring 25 March 2024, subject to terms being agreed'; and
- (b) that at 25 March 2024 the 11.83 acres be merged with and let with the bare land forming part Lower East Week Farm in internal competition between the tenants of East Week Farm (land), South Tawton; Smithscross Farm, Drewsteignton; Higher Fingle Farm, Drewsteignton; and East Fingle Farm, Drewsteignton on a Farm Business Tenancy for a term of up to five years commencing 25 March 2024, subject to terms being agreed.

2. Hurlditch Farm, Lamerton

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

RESOLVED that

- (i) the tenant's short notice to surrender be accepted;
- (ii) the land and buildings forming Part OS 9642 and extending to 1.00 acre or thereabouts be declared permanently surplus to the operational requirements of the Estate and sold on the open market; and
- (iii) Hurlditch Farm, Lamerton 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 2023 and terminating 25 March 2030, all subject to terms being agreed.

* 49

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.

* **50** **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 for proposed Tenants' Improvements**

The Committee considered the Report of the Head of Digital Transformation and Business Support (Interim) (BSS/22/13) 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 CIRIA and SSAFO compliant 90' x 45' concrete bunker silage clamp providing 2,000 tonnes capacity, subject to the improvement being written down in value to £100 on a straight line basis over a life expectancy of 30 years.

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

The Committee considered the Report of the Head of Digital Transformation and Business Support (Interim) (BSS/22/14) on the monitoring of tenants on an Initial Farm Business Tenancy.

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

RESOLVED that:

- (i) a letter be sent to the tenants of Buckridge Farm, Denbury; Lomans Farm, Broadhempston; and Lower Pilehayes Farm, Whimple confirming a satisfactory level of competence has been attained to date;
- (ii) the 123.63 acres of land at Middle Winsham Farm, Braunton be advertised to let internally in the first instance to the tenants of Chapel Farm, Marwood and Prixford Barton Farm, Marwood for a term of five years commencing 25 March 2022 and terminating 25 March 2027, subject to terms being agreed (including applying for a co-designed Countryside Stewardship Scheme Contract in 2023) but if reasonable terms cannot be agreed with those existing tenants, then the land be advertised to let on the open market in the alternative;

- (iii) a further monitoring visit be made in 12 months' time to the tenants of Southcott Farm, Okehampton and Middle Winsham Farm, Braunton;
- (iv) the tenant of Higher Leigh Farm, Churchstow be offered a second but final seven-year Farm Business Tenancy of the holding for a term commencing 25 March 2024 and terminating 25 March 2031, subject to terms being agreed;
- (v) the tenant of Lower Chitterley Farm, Bickleigh be offered a second but final seven-year Farm Business Tenancy of the holding for a term commencing 25 March 2024 and terminating 25 March 2031, subject to terms being agreed; and
- (vi) the tenant of Middle Yeo Farm, Down St Mary be offered a second but final seven-year Farm Business Tenancy of the holding for a term commencing 25 March 2024 and terminating 25 March 2031, subject to terms being agreed.

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 3.16 pm

