

FARMS ESTATE COMMITTEE

18 November 2024

Present:-

Councillors J Yabsley (Chair), J Brook, R Chesterton, A Dewhirst, H Gent, C Whitton (Part I only) and Mrs L Warner

Apologies:-

Councillors J Berry

* **151** **Announcements**

The Chair welcomed Mrs Mayes 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.

* **152** **Declarations of Interest**

The Chair reminded Members they should declare any interests they may have in any item to be considered, prior to any discussion taking place on that item.

* **153** **Minutes**

RESOLVED that the minutes of the meetings held on 12 June, 8 August and 9 September 2024 be signed as correct records.

* **154** **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

* **155** **Revenue Monitoring 2024/25 (Month 6)**

The Committee endorsed the Report of the Director of Finance and Public Value (DFP/24/120) on the County Farms Estate Revenue Monitoring (Month 6) 2024/25, noting the target surplus of £534,000 for 2024/25 and detailing income and expenditure to date.

Of particular note was paragraph 3.3 of the report which summarised outstanding rent arrears that were being pursued, indicating that the majority would be cleared once the end of tenancy valuations had been completed.

In response to Members' questions, the following was noted:

- The £6,261 spent on Council Tax was due to increased costs on two vacant properties awaiting disposal.
- The total accrual for professional fees associated with outstanding end of tenancy valuation work was £32,053, which reflected a number of valuations, over a number of years; and that the £6,000 budget this year had been set around this time last year;
- The current forecast of £45,000 for testing and inspection works exceeded the £21,000 budget due to changes in service term contractors and a rebalancing effort to ensure all plant and equipment across the estate was properly accounted for.

* **156** **Capital Monitoring 2024/25 (Month 6)**

The Committee endorsed the Report of the Director of Finance & Public Value (DFP/24/119) on the County Farms Estate Capital Monitoring (Month 6) 2024/25, noting that the approved capital programme for 2024/25 included schemes totalling £900,000.

There had been an underspend of £199,068 in 2023/24. In addition, a further £39,426 was available to carry out improvements to increase the capital value of acquired land. The balance of capital available to spend in 2024/25 amounted to £1,138,494. It was anticipated that the overall budget would be spent by year end.

* **157** **Management and Restructuring Issues**

The Committee considered the Report of the Director of Transformation and Business Services (TBS/24/12) on County Farms Estate Management and Restructuring Issues.

(a) Part Great Parks Farm, Crediton

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

RESOLVED that the 27.97 hectares (69.11 acres) or thereabouts of bare land at Part Great Parks Farm, Crediton be advertised to let on the open market on a five year Farm Business Tenancy commencing 25 March 2025, subject to terms being agreed.

(b) Mixing Barn Farm, Bovey Tracey

Members requested that the valuation of the outgoing tenants' fixtures and fittings be agreed prior to 25 March 2025 as a condition of the further fixed term tenancy, which the Land Agent noted.

To ensure confidentiality while addressing further questions from Members, the Committee agreed to continue the discussion and consideration in Part II of the meeting.

(c) Part Little Allercombe Farm, Rockbeare

The Land Agent confirmed that alternative access to the retained land would be through a nearby existing but currently unused agricultural gateway and undertook to provide Members with assurance that the other fields could be accessed from existing highway entrances.

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

RESOLVED that:

- (i) the tenant of the land at Little Allercombe Farm, Rockbeare be invited to surrender from his lease the redundant agricultural buildings in enclosure NG 1553 and part NG 2249 and the land amounting to 1.17 acres or thereabouts in area; and
- (ii) the redundant agricultural buildings in NG 1553 and part NG 2249 and the land amounting to 1.17 acres in area be declared permanently surplus to the requirements of the estate and sold on the open market, for residential conversion with the benefit of Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.

(d) Land at Moorhouse Farm and Mixing Barn Farm, Bovey Tracey

In response to Members' questions, the Land Agent confirmed that each parcel of land was slightly less than an acre in size; that the recommendation would not adversely impact access or farming activities; and that the appropriation of the land to the Council's Highways Department constituted an internal transfer only, with no consideration exchanged, in line with the Council's Strategic Plan.

Members thought it important to raise awareness of the Biodiversity Net Gain projects taking place on the Estate.

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

RESOLVED that:

- (i) Minute 150(c)(i) of 9 September 2024 be amended by omitting the text 'NG part 7257' and replacing it with 'NG part 9109' instead; and
- (ii) Minute 150(c)(ii) of 9 September 2024 be amended by omitting the text 'NG part 7257'.

* **158** **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.

* 159

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)

Management and Restructuring Issues

The confidential questions raised by Members under Part I regarding paragraph 3.2 of report TBS/24/12 were addressed.

Mixing Barn Farm, Bovey Tracey

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

RESOLVED

- (i) that the tenant of Mixing Barn Farm, Bovey Tracey be allowed to occupy the holding for a further fixed and final 12 month term expiring 25 March 2026, subject to terms being agreed; and
- (ii) that the farmhouse, buildings and 39.08 hectares (96.56 acres) or thereabouts of land at Mixing Barn Farm, Bovey Tracey 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 2026 and terminating 25 March 2033, subject to terms being agreed.

* (a) **Level of Expected Tenants' Competencies**

The Committee considered the Report of the Director of Transformation and Business Services (TBS/24/13) on the Level of Expected Tenants' Competencies.

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

RESOLVED that the extant paragraph 8.2 (i) of appendix (v) of the Devon County Council Farms Estate Strategic Review Report (March 2010) be amended to now read:

'After 18 months, the Committee Chairman, Vice Chairman, and Senior Land Agent make a formal visit to the tenant, to inspect the farm, relevant farm records and the most recent set of farm accounts, and then to make a written confidential report to the Farms Estate Committee. The monitoring visit cannot be deemed satisfactory if the farm accounts are not made available for inspection and failure to present the farm accounts may impact on the tenant's ability to progress and/or secure a consecutive second tenancy of the starter holding'.

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

The Committee considered the Report of the Director of Transformation and Business Services (TBS/24/14) on the Monitoring of Tenants on an Initial Farms Business Tenancy.

Members asked that future items include the current rental status, which the Land Agent noted.

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

RESOLVED

- (i) That a letter be sent to the tenants of Thorndon Farm, Ashwater; Hurditch Farm, Lamerton; Southcott Farm, Okehampton; Little Stone Farm, South Molton; Higher Artiscombe Farm, Gulworthy; and Endfield Farm, Sandford confirming a satisfactory level of competence has been attained to date.
- (ii) That letters be sent to the tenants of Lower Northchurch Farm, Yarnscombe; Duckaller Farm, Dawlish; Lower Parks Farm, Crediton; and Nunford Farm, Colyton confirming a repeat monitoring visit will be required in approximately 12 months' time.
- (iii) That the tenants of Churchlands Farm, Ermington be offered a second but final seven-year Farm Business Tenancy of the holding for a term commencing 25 March 2026 and terminating 25 March 2033, subject to terms being agreed.
- (iv) That the tenants of Fairfield Farm, Denbury be offered a second but final seven-year Farm Business Tenancy of the holding for a term commencing 25 March 2026 and terminating 25 March 2033, subject to terms being agreed.
- (v) That it be reiterated to the tenants of Moorhouse Farm, Bovey Tracey that they must present their accounts for review as the final yet integral part of their second monitoring visits. Subject to the accounts not giving any cause for concern they then be offered a second but final seven-year Farm Business Tenancy of the holding for a term

commencing 25 March 2026 and terminating 25 March 2033, subject to terms being agreed. If the accounts are not presented for review before 1 January 2025, or the accounts give cause for concern, then the tenancy be allowed to roll on for a further year beyond the terms date of 25 March 2026. The tenant of the holding is then required to receive a second formal monitoring visit in 12 months time before a decision can be made to grant a second consecutive tenancy of the holding.

- (vi) That the tenancy of East Catkill Farm, Rose Ash be allowed to roll on for a further year beyond the contractual term date of 25 March 2026. The tenant of the holding is then required to receive a second formal monitoring visit in 12 months time before a decision can be made to grant a second consecutive tenancy of the holding.

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 3.11 pm