

## **Meeting of Belbroughton Parish Council Agricultural Holdings Committee on 25 March 2013 in the Barton Room at Fairfield Village Hall**

**Present:** Councillors A Hood (Chairman), K Green, T Jones, A Ince and J Kitson

In attendance: Katie Limm (Clerk)

### **086/13 Apologies**

Apologies were received and accepted from Mrs M Rees (co-opted member)

### **087/13 Declarations of interest**

Cllr Ince declared a disclosable pecuniary interest since her husband is one of the Council's agricultural tenants. However the Council had granted a dispensation to enable her to take part in discussions regarding the agricultural land.

### **088/13 Minutes of previous meeting**

The minutes of the meeting held on 21<sup>st</sup> November 2012 were approved.

### **089/13 Livestock**

The Committee discussed whether the Council should maintain its policy of not allowing the keeping of livestock on its land. The arguments against allowing livestock were that this would require more complicated arrangements than arable land, for example the provision of fencing and water. In addition the layout of the Council's land meant that some tenants had to cross other tenants' holdings to reach their land – this would raise security or management issues if livestock were grazing the land. Some Councillors were also concerned that allowing livestock could lead to pressure for horses to be allowed on the land.

The Clerk had made enquires of the County Council which had indicated that arable land fetched a higher annual average rental price than grazing land (£65-£130 per acre for arable; £40-£80 per acre for grazing) so that there would be no clear financial advantage to the Council in letting some land for grazing. One of the tenants had asked on a couple of occasions if he could keep sheep on his holding but there had been no other requests to do so from current tenants. Whenever a tenancy had become vacant in the past there had been no difficulty in re-letting it on the current terms.

The Committee therefore concluded that there was no case at present for advising the Council to change its policy of not allowing livestock on its land.

### **090/13 Future investment in land**

Cllr Kitson had suggested that the Council should explore the purchase of additional land as an investment. The Committee noted that there were two inter-related issues - whether land would produce a capital gain and whether it would produce a good income. The price of land varied with its quality but in general was currently expensive to buy so might not produce the capital gain that had been delivered by the Council's current land holdings. Rents also varied as the discussion about arable and grazing land had indicated.

The Committee noted that it was always open to the Council to consider the merits of purchasing any land which was offered for sale in or near the parish. However the Committee did not recommend that the purchase of additional land should be actively pursued at present.

### **091/13 Tenancy agreements**

*The Committee resolved to exclude the public and the press for this item because of the confidential nature of the business to be discussed.*

The Clerk outlined the advice received from the Council's solicitor concerning the tenancy agreements. His view was that the current agreements are not suitable for the current

lettings which are not allotments but agricultural tenancies. It would be preferable therefore to put the tenancies on the correct footing. The Clerk had also consulted the County Council about their agricultural tenancies and had ascertained that these were made under agricultural tenancies legislation. The Committee agreed to recommend to the Council that it should seek to update the agreements to reflect the appropriate legislation.

The options for handling this were for the Council's solicitor to deal with the tenants on an individual basis or for him to provide a generic new agreement and any necessary documents so that the Clerk could consult with all the tenants. Any specific issues arising could be referred to the solicitor as necessary. The second option would incur much lower legal costs. The Committee recommended that the Council should adopt the second option.

So far as the rent increase already agreed by the Council was concerned, the Clerk was asked to seek further advice about whether this could be handled separately by giving the tenants 12 months notice in the usual way or whether the proposed increase would be better dealt with as part of consultation on new tenancy agreements.

### **092/11 Other business**

A number of issues had been identified on the last inspection of the agricultural land. The clerk reported the following action:

- a letter was being sent to all the tenants with their March rent bills asking them to reinstate any missing gates and to keep gates closed when not in use. Tenants were being asked to contact the Clerk if this caused them any problems.
- a footpath off Third Road, Wildmoor had been obliterated by crops/ploughing– the footpath wardens were aware of problems with this path and would consider the best approach following discussions with Marjorie Rees.
- the tenant adjacent to the access track off Madeley Road had ploughed and rolled the land in a way that meant that water drained onto the track. The Clerk had deferred writing about this in view of the recent bad weather- to be considered again on the next inspection.
- the gate erected across the entrance to the footpath at Badgers Copse discouraged use of this path and the copse itself. The Clerk had consulted the footpath wardens about whether it would be desirable to have this gate removed. Their view was that the gate was not a problem provided the right of way was clearly marked. Cllr Ince said that there was also a right of way for vehicles along this track and that it was important that it was used from time to time.

The meeting closed at 8.55 pm.

Signed.....Chairman