

**Minutes of the Agricultural Holdings Committee meeting held on Tuesday 2nd July 2013
in the Barton Room at Fairfield Village Hall at 7.30 pm**

Present: Cllr Hood (Chairman), Cllr Bradley, Cllr Green, Cllr Jones, Cllr Kitson, Cllr Ince and Mrs M Rees (co-opted member); Mrs C limm (Clerk)

204/13 Apologies for absence

There were no apologies for absence.

205/13 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.

206/13 Minutes of previous meeting

The Minutes of the meeting held on 25th March 2013 were approved.

207/13 Tenancy agreements

The Committee considered the draft tenancy agreement produced by the Council's solicitor.

The following points were agreed:

- i. The Council wanted an annual agreement that automatically runs on each year unless notice to terminate is given by either party. The lease should be explicit that this is a periodic annual tenancy.
- ii. If the lease was silent about rent reviews the default position under the agricultural tenancies legislation would be a 3 yearly rent review. However, the Council would prefer explicit reference in the lease to a rent review instigated by the Council every 3 years.
- iii. Clause 7.1 excluded disputes in respect of rent from the dispute resolution procedure set out. The procedure for resolving rent disputes should also be specified.
- iv. The Council wanted to implement the agreed rent increase as soon as possible but a year's notice was required. Tenants would in due course need to be provided with a lease specifying their holding and showing a map of the land and of any rights of way and access arrangements. These individual agreements would take some time to prepare. The Clerk was asked to establish whether it would be possible first to notify all the tenants that the Council was proposing to put in place a new lease under the Agricultural Tenancies legislation and that a rent increase was also proposed. This would start the clock ticking on the one year notice period and could be followed up with the letters to each tenant about their individual holding.

A number of detailed drafting points were also identified. The Clerk was asked to convey the Committee's comments to the Council's solicitor so that a revised draft could be prepared.

The Clerk was also asked to check with the County Council whether there had been any significant movement in agricultural rents since the Council had approved the proposed rent increase.

208/13 Other business

The Clerk said that she had received an approach from Mr Parton of Wildmoor Quarry Products proposing the diversion of a footpath at Wildmoor Quarry onto parish council land. He had said that the current footpath across the quarry was unsafe for users and that one of the County's Countryside Service footpath officers supported a diversion. The Clerk had asked him to provide more details, including a map of the current and proposed footpath routes, so that the Council could consider this.

One of the tenants of land off Third Road, Wildmoor, had planted crops across a footpath which meant that the route was no longer visible. The footpath wardens had now installed waymarkers to indicate the route. The Clerk was asked to write to the tenant asking him to reinstate the path.

The meeting closed at 9.00 pm

Signed.....Chairman