

23 February 2015**Agenda Item: 7e****REPORT OF SERVICE DIRECTOR TRANSPORT, PROPERTY &
ENVIRONMENT****TOP WIGHAY FARM, HUCKNALL: SURRENDER OF AGRICULTURAL
TENANCY AND GRANT OF NEW FARM BUSINESS TENANCIES****Purpose of the Report**

1. To seek approval to the terms for the surrender of the existing Agricultural Tenancy as detailed in the Exempt Appendix.
2. To seek approval to the terms of new Farm Business Tenancies as detailed in the Exempt Appendix.

Information and Advice

3. Some information relating to this report is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972. Having regard to the circumstances, on balance the public interest in disclosing the information does not outweigh the reason for exemption because divulging the information would significantly damage the Council's commercial position. The exempt information is set out in the exempt appendix.
4. The Gedling Aligned Core Strategy has allocated land at Top Wighay Farm, Annesley Road, Hucknall for a major urban expansion area comprising up to 1000 homes and land for employment uses. The County Council owns 63 Ha (156 acres) of land at Top Wighay Farm. The County Council is proposing to bring forward Top Wighay Farm for development (in phases) in accordance with the adopted Core Aligned Strategy. A conditional contract has recently been exchanged in relation to the first housing phase on the site (4.23 Ha / 10.44 acres and known as Phase 1B).
5. The whole of Top Wighay Farm is currently leased to a local farmer under an Agricultural Tenancy dated 16 June 1977.
6. It is proposed to accept a surrender of the existing agricultural tenancy. The terms of the proposed surrender are detailed in the exempt appendix.
7. As part of the surrender arrangements, it is also proposed to create some new short term Farm Business Tenancies. The terms of the proposed Farm Business Tenancies are detailed in the exempt appendix.

Other Options Considered

8. Retain the existing Agricultural Holdings Act Tenancy.

Reason/s for Recommendation/s

9. The replacement of the existing Agricultural Tenancy with shorter Farm Business Tenancies gives greater flexibility both to the Council and the Farmer in the day to day management of Top Wighay Farm in the context of the site development aspiration.

Statutory and Policy Implications

10. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That approval be given to the terms for the surrender of the existing Agricultural Tenancy as detailed in the exempt appendix.
- 2) That approval be given to the terms of new Farm Business Tenancies as detailed in the exempt appendix.

Jas Hundal

Service Director – Transport, Property & Environment

For any enquiries about this report please contact: Ian Brearley 0115 977 4840

Constitutional Comments (CEH 04.02.2015)

11. The recommendations fall within the remit of the Finance and Property Committee.

Financial Comments (TR 04.02.2015)

12. The financial implications are set out in the exempt appendix to the report.

Background Papers and Published Documents

13. Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

14. Ward(s): Newstead, Hucknall, Kirkby-in-Ashfield South
Member(s): Councillor Chris Barnfather, Councillor Alice Grice, Councillor John Wilmott, Councillor John Wilkinson, Councillor Rachel Madden

File ref.: /IB/SB/00777

SP: 2778

Properties affected: 00077 - Top Wighay Farm