

Minutes of an Extra Ordinary Meeting of the Parish Council of Emneth that took place on Tuesday 6th October 2009 in the Central Hall

The meeting commenced at 7.00pm.

169/09 **PRESENT** were Councillors Mr R Waterfield (Chairman), Mr M Wiles, Mr M White, Mrs O Graham, Mr N Terrington, Mr S Curtis, Mr A Green, the Clerk Mrs M Sawyer, and Borough Councillor Mr C Crofts.

170/09 **APOLOGIES** for absence were received from Councillors Mrs Y Howard and Mr F Blake and County/Borough Councillor Mr H Humphrey.

171/09 **COUNCILLORS' DECLARATIONS OF INTEREST IN ITEMS ON THE AGENDA AS REQUIRED BY THE PARISH COUNCIL'S CODE OF CONDUCT 2007**
None declared.

172/09 Councillor N Terrington proposed that members of the public be excluded whilst the following item was dealt with. This was seconded by Councillor M White and agreed nem con.

173/09 **AGRICULTURAL TENANCIES - HUNGATE ROAD**
The Chairman first advised Members who the Clerk had contacted for advice on the correct procedures for termination of a lease granted under the 1986 Agricultural Act. The NFU had refused to give advice because the Council were not members, DEFRA had stated that it was not within their remit to advice on tenancy matters, NALC Legal team were still deliberating but sound advice had been given by Maxey's. He explained that although the leases in question had been in force since 1983, the 1986 Act superseded all previous Acts. He continued by explaining that the 1995 Act had made certain alterations to the way tenancies were entered into and forfeited but this did not affect tenancies entered into before that date, so the tenancies in question were governed by the 1986 Act. This gave tenants and their heirs security of tenure (except in certain circumstances) until such time as they wished to vacate. He said that in this case there were no circumstances under which the tenant could be forced to quit the land. He said that he had discussed the matter with the proposed new tenant who had willingly agreed to forgo plots D1, D3, D5, D7, D9 and D11 in favour of the present tenant. The Chairman then advised Members that the Notice to Quit Plots D9 and D11 (governed by the 1986 Act) should be withdrawn and the Lease of plots D1, 3,5 and 7 (governed by the 1995 Act) should be amended to be renewable from year to year. This was proposed, seconded and agreed nem.con.
The Chairman agreed to inform the tenant of the outcome as soon as possible. The Clerk will prepare the paperwork and send to the tenant for signing.

Councillor Mr N Terrington said that he wanted it to be recorded that all future dealings, in particular with regard to agricultural land, must be in writing with no more verbal agreements. This was agreed.

174/09 There being no further business to discuss the Chairman closed the meeting at 7.32pm.