

THE COUNTY FARMS ESTATE MANAGEMENT AND RESTRUCTURING

Report of the Head of Digital Transformation and Business Support

Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.

Recommendation(s):

That the Committee approve the recommendations as set out in the opening paragraphs of sections 1, 2, 3, 4, 5, 6 and 7 of this report.

1.0 Ten Oaks Farm, Roborough

1.1 It is recommended that:

- (i) The Committee endorses the acceptance of the tenant's surrender of Ten Oaks Farm, Roborough effective at 25 March 2019.
- (ii) The Committee approves the reletting of the farmhouse, buildings and 92.90 acres or thereabouts of land at Ten Oaks Farm, Roborough as an equipped residential starter dairy farm on the open market to new entrants and on a Farm Business Tenancy commencing 25 March 2019 and expiring 25 March 2026, subject to terms being agreed.

1.2 The Roborough Estate comprises:

Ten Oaks Farm	37.60 hectares (92.90 acres)
Land at Newcombes and Glebe	39.38 hectares (97.32 acres)
Total	76.98 hectares (190.22 acres)

1.3 Members may recall that following the tenant of Ten Oaks Farm electing to give up his Farm Business Tenancy of the Land at Newcombes and Glebe, resolving under committee resolution FE/100(b) of 19 February 2016:

'that the land at Newcombes and Glebe Farms, Roborough be advertised to let in two lots and in internal competition between the tenants of Furze Barton Farm, Ashreigney; Lower Farm, High Bickington; Lower Northchurch Farm, Yarnscombe and Great Blakewell Farm, Chittlehampton on a five year Farm Business Tenancy commencing 25 March 2017, subject to terms being agreed'.

1.4 The tenant of Ten Oaks Farm has recently indicated that he now wants to vacate the main holding at 25 March 2019 and has signed an Agreement to Surrender and a Deed of Surrender effective at 25 March 2019.

- 1.5 The Estate Asset Management Plan suggests Ten Oaks Farm is a holding that should be retained and relet in accordance with the objectives of the Estate Policy and Strategy.
- 1.6 It is noted that the existing slurry store would not provide sufficient slurry and dirty water storage capacity for the number of cows the farmstead could accommodate if the farm was to be included within a Nitrate Vulnerable Zone. Furthermore, it would be practically very difficult and potentially cost prohibitive to increase the storage capacity any further. However, the storage capacity is functional and all other dairy and milk production plant and equipment required to accommodate a small milking herd is available. Thus provided prospective tenants understand and accept the limitations of the holding in terms of potential cow numbers, the farm has the potential to offer prospective dairy tenants a relatively cost effective start in the industry.

2.0 North Ground Farm, Milton Abbot

2.1 It is recommended that:

- (i) The Committee endorses the acceptance of the tenant's early surrender of North Ground Farm, Milton Abbot effective at 25 March 2018.
- (ii) The Committee approves the reletting of the farmhouse, buildings and 113.38 acres or thereabouts of land at North Ground Farm, Milton Abbot as an equipped residential starter mixed holding on the open market to new entrants and on a Farm Business Tenancy commencing 25 March 2018 and expiring 25 March 2025, subject to terms being agreed.

2.2 The Milton Abbot Estate comprises:

North Ground Farm	45.88 hectares (113.38 acres)
Uppaton Farm	46.31 hectares (114.44 acres)
Total	92.19 hectares (227.82 acres)

2.3 North Ground Farm, Milton Abbot comprises a farmhouse, buildings and 45.88 hectares (113.38 acres) or thereabouts of land. The farm was last let to a new entrant from the open market as a mixed use holding from 25 March 2014.

2.4 The current tenant recently applied for and secured a Farm Business Tenancy of a holding advertised to let on the open market by Clinton Devon Estates. Accordingly the current tenant now wishes to surrender his lease of North Ground Farm at 25 March 2018. The County Solicitor has been asked to prepare the requisite Agreement to Surrender and Deed of Surrender for completion.

2.5 The Estate Asset Management Plan suggests North Ground Farm is a holding that should be retained and relet in accordance with the objectives of the Estate Policy and Strategy.

3.0 Whitsun Farm, Bickleigh

3.1 It is recommended that the current tenant, Mr JL continue to be offered first refusal of further consecutive 12 month Farm Business Tenancy's of the 36.26 acres or thereabouts of land at Whiston Farm, Bickleigh commencing 25 March 2017, subject to terms being agreed each year, and until such times as the potential development value of the land can be realised.

- 3.2 Whitsun Farm, Bickleigh comprises 14.67 hectares (36.26 acres) of land and a range of dilapidated and redundant buildings. The land is being held and managed as part of the County Farms Estate until such times as its development potential can be realised or permanently discounted.
- 3.3 The land has been managed well by a local young farmer occupier since 1997. The current tenant took the land following his grandfathers decision to retire, in favour of his grandson. The land was initially let to the current tenant on a three year Farm Business Tenancy following representatives of the then County Farms Estate Committee visiting the land and meeting the prospective tenant on site before resolving on 11 March 1997, under committee reference CF/252(a):
- ‘that a three year Farm Business Tenancy commencing 25 March 1997 of Whitsun Farm, Bickleigh be granted to Mr J L....’.*
- 3.4 Three subsequent committee resolutions were made to continue letting the land to the same tenant on a series of consecutive short term Farm Business Tenancy Agreements. Committee resolutions FE/42(b) of 6 January 2000; FE/74(b) of 19 November 2002; and FE/16(g) of 22 November 2005 all refer.
- 3.5 The later committee resolution has, until now, been held as the Authority to continue letting the land to the same good custodian tenant as an efficient means of temporary management until such times as the development potential of the land can be realised.
- 3.6 The land is isolated and the nearest county farm to it is Higher Artiscombe Farm, Gulworthy, located some 14 miles distance or thereabouts by road.
- 3.7 Although the land has been promoted under the Strategic Housing Land Availability Assessment (SHLAA) call for sites process, it is not currently considered by the Local Planning Authority (LPA) to be a priority or preferred development site. Accordingly therefore the land will require ongoing management, occupation and use until such times as it may be considered more favourably.
- 3.8 The current tenant has proven to be a good local custodian of the land paying a fair market rent.

4.0 Thorne Farm, Ottery St Mary

- 4.1 It is recommended that the current tenant, Mr CP continue to be offered first refusal of further consecutive 12 month Farm Business Tenancy’s of the 25.41 acres or thereabouts of land at Thorne Farm, Ottery St Mary commencing 25 March 2017, subject to terms being agreed each year and until such times as the potential development value of the land can be realised.
- 4.2 Thorne Farm, Ottery St Mary comprises 10.33 hectares (25.41 acres) or thereabouts of bare land. The land is being held and managed as part of the County Farms Estate until such times as its development potential can be realised or permanently discounted.
- 4.3 Committee resolution CF/228(g) of 10 October 1996 resolved:

‘that Higher Thorne Farm, Ottery St Mary be declared permanently surplus to the requirements of the Estate in pursuance of the Estate Plan and that the Chief

Property Services Officer manages the holding in hand after 25 March 1997 whilst pursuing the optimum future disposal arrangements’.

- 4.4 The committee resolution referred to above has, until now, been held as the Authority to continue letting the land to the tenant of Topshayes Farm, Aylesbeare. It is understood that as part of the current tenants relocation package from Blackenfields Farm, Luppitt to Topshayes Farm, Aylesbeare, he would have first refusal of renting the land at Thorne Farm, Ottery St Mary on a series of consecutive 12 month Farm Business Tenancy Agreements, subject to terms being agreed each year, and until such times as the development potential of some or all of the land could be realised.
- 4.5 Although the land has been promoted under the Strategic Housing Land Availability Assessment (SHLAA) call for sites process, it is not currently considered by the Local Planning Authority (LPA) to be a priority or preferred development site. Accordingly therefore the land will require ongoing management, occupation and use until such times as it may be considered more favourably.
- 4.6 The current tenant has proven to be a good local custodian of the land paying a fair market rent.

5.0 Land at Port Road, Dawlish

- 5.1 It is recommended that a notice to quit be served bringing the current annual periodic tenancy to an end at 25 March 2019 and that the current tenant, Mr KP be offered first refusal of a further 3 year Farm Business Tenancy of the 1.13 acres or thereabouts of land at Duckaller Farm, Dawlish commencing 25 March 2019, subject to terms being agreed.
- 5.2 In 2013, 0.46 hectares (1.13 acres) or thereabouts of bare land in Port Road, Dawlish was amalgamated with Duckaller Farm, Dawlish by way of a separate Farm Business Tenancy. Committee resolution FE/61(a)(ii) of 22 November 2011 refers. The resolution stated:
- ‘that the tenant of Duckaller Farm, Dawlish be offered a 3 year Farm Business Tenancy of the 1.46 acres or thereabouts of bare land adjacent to 9 Port Road, Dawlish commencing 25 March 2013 and terminating 25 March 2016, subject to terms being agreed’.*
- 5.3 The Farm Business Tenancy referred to above has been allowed to run from year to year following the passing of the term date. A Notice to Quit could be served to bring the current lease to an end at 25 March 2019.
- 5.4 The current tenant has proven to be a good local custodian of the land paying a fair market rent.

6.0 Land at Glebe Farm, West Putford

- 6.1 It is recommended that the 27.85 hectares (68.88 acres) or thereabouts of bare land at Glebe Farm, West Putford be advertised to let in internal competition between the tenants of Merrifield Farm, Holsworthy; North Hele Farm, Buckland Brewer and Lower Alminstone Farm, Woolsery on a 5 year Farm Business Tenancy commencing 25 March 2019, subject to terms being agreed.
- 6.2 Members may recall that when Cross Farm, Woolsery was declared surplus to the operational requirements of the Estate and sold, the ‘away’ land at Glebe Farm, West Putford was advertised to let in internal competition between the three tenants in

reasonably close proximity to it. Committee Minute Ref. FE/109(c)(iv) of 3 November 2011 refers and states:

'That the land at Glebe Farm, West Putford be advertised to let in competition between the tenants of Merrifield Farm, Holsworthy, North Hele Farm, Buckland Brewer and Lower Alminstone Farm, Woolsery on a five year Farm Business Tenancy commencing 25 March 2014, subject to terms being agreed.'

6.3 A notice to quit has been served on the current tenant of the land to bring the current lease to an end on the term date of 25 March 2019.

7.0 Part Glebe Farm, Rattery

7.1 It is recommended that the Parish Council's expression of interest in acquiring or leasing part Glebe Farm, Rattery, more particularly known as part OS 2854 and Part OS 2244 be noted and that should the Local Planning Authority (LPA) be minded to look favourably on a small scale residential development on another part of the holding, then consideration be given to transferring this land to the Parish Council for recreational and amenity use as part of a much enhanced Public Open Space provision directly associated with any proposed residential development.

7.2 On 18 July 2017 the NPS Senior Land Agent, Chairman and Vice Chairman of the committee met representatives of the Rattery Parish Council at Glebe Farm, Rattery to gather further information relating to their expression of interest in acquiring land forming part of the holding for recreational and amenity use.

7.3 Representatives of the Parish Council explained that following Parishoner and Public Consultation the Rattery Parish Plan (2017) identified a need for land to provide:

- (i) allotments; establishment of community orchard / woodland; creation of a wildlife area;
- (ii) an extension of land to the rear of the Church for the creation of a memorial garden;
- (iii) opportunities for improved public access, including footpaths;

7.4 The land identified by the Parish Council for the proposed community use included part OS 2854, and Part OS 2244. Both enclosures are let with the rest of the farm to the tenant of Cobberton Farm, Dartington. The tenant has apparently advised the Parish Council that he would be willing to give up occupation of this low productivity land, woodland and quarry in favour of some form of community use.

7.5 It is perhaps worth noting that some of this land had been put forward in a previous Local Planning Authority (LPA) call for sites for residential and/or employment use development as part of the periodic Strategic Housing Land Availability Assessment (SHLAA). However this land was not put forward in the last SHLAA due to potential access constraints although alternative land forming the site of the former farmstead, located adjacent to the Village Hall, was promoted as being immediately available for housing.

7.6 It is noted that although the Parish Consultation suggested the majority of Parishoners were opposed to any further residential development larger than 5 units, the emerging Joint Local Plan (JLP) may set an indicative level of 20 new houses for Rattery.

7.7 It is also noted that The Parish Council may be able to draw down some grant funding from the National Grid Communities Fund to potentially acquire and develop the

community land. The Parish Council would therefore like to progress a potential land transfer sooner rather than later.

- 7.8 In light of the Local Planning Authority's proposed housing allocation for the village of Rattery as set out in the emerging Joint Local Plan, it would seem logical that if the County Council has land it wishes to promote for housing and the Parish Council wants land for community use that the County Council owns, that a joint approach be made to the Local Planning Authority to seek indicative support for a small scale housing scheme incorporating land for public use at Glebe Farm, Rattery.

8.0 Options/Alternatives

- 8.1 Alternative options have been considered and discounted as they are believed to either be contrary to current Estate policy and/or not in the best financial interests of the Estate.

9.0 Consultations/Representations/Technical Data

- 9.1 The views and opinions of the Devon Federation of Young Farmers Clubs and the Estate Tenants Association will be presented by the two co-opted members to the committee.
- 9.2 No other parties have been consulted and no other representations for or against the proposal have been received
- 9.3 The technical data is believed to be true and accurate.

10.0 Considerations

- 10.1 The Author is not aware of any financial, sustainability, carbon impact, equality, legal, risk management or public health issues arising from this report

11.0 Summary/Conclusions/Reasons for Recommendations

- 11.1 The Author has prepared this report in accordance with the findings of the County Farms Estate Strategic Review (April 2010)

Rob Parkhouse
Head of Digital Transformation and Business Support

Electoral Divisions:

Torrington Rural; Okehampton Rural; Bickleigh & Wembury; Otter Valley; Dawlish; Holsworthy Rural; South Brent & Yealmpton

Local Government Act 1972: List of Background Papers

None

Who to contact for enquiries:

Dan Meek, NPS South West Ltd, Venture House, One Capital Court, Bittern Road, Sowton Industrial Estate, Exeter, EX2 7FW
Tel No: (01392) 351066 Email: dan.meek@nps.co.uk