

## THE COUNTY FARMS ESTATE MANAGEMENT AND RESTRUCTURING

### Report of the Head of Business Strategy and Support

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

#### Recommendation(s):

1. That the Committee approves the recommendation set out in the opening paragraph of section 1 of this report

#### 1.0 Land at Combefishacre Farm, Ipplepen

1.1 That the 11.18 hectares or thereabouts of land at Combefishacre Farm, Ipplepen be advertised to let in internal competition between the tenants of Bulleigh Elms Farm, Ipplepen; Lomans Farm, Broadhempston; Fairfield Farm, Denbury; Coppa Dolla Farm; Denbury and Buckridge Farm, Denbury on a five year Farm Business Tenancy commencing 25 March 2017, subject to terms being agreed.

1.2 The Ipplepen Estate comprises:

Bulleigh Elms Farm	88.90 hectares (219.67 acres)
Combefishacre Land	11.18 hectares (27.62 acres)

Total	100.08 hectares (247.29 acres)
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1.3 The former Estate Plan designated the Combefishacre land as 'migration' land to be farmed as away land by the tenant of Coppa Dolla Farm, Denbury. Following the disposal of the Combefishacre farmstead the land was initially farmed by a former tenant of Coppa Dolla Farm but he elected to surrender his lease of it. It was then temporarily occupied under a contract farming agreement and more recently, occupied by the tenant of Bulleigh Elms Farm, Ipplepen.

1.4 In terms of Authority for the most recent period of occupation, Members resolved at the County Farms Estate Committee meeting of 9 February 2012, under Minute Ref. FE/124(c) Combefishacre Farm, Ipplepen:

*“that the land at Combefishacre Farm, Ipplepen be offered to the tenant of Bulleigh Elms Farm, Ipplepen on a five year Farm Business Tenancy Agreement commencing 25 March 2012 and terminating 25 March 2017, subject to terms being agreed”.*

1.5 Although the tenant of Bulleigh Elms Farm, Burlescombe would like to renew his tenancy at 25 March 2017, there have been a number of new tenants join the Estate within the locality of the land at Combefishacre since 2012 and the Land Agents are aware that some, if not all, are actively seeking additional land to enable their businesses to grow.

#### 2.0 Higher Leigh Farm, Churchstow

2.1 *'That the house buildings and 86.14 acres or thereabouts of land comprising Higher Leigh Farm, Churchstow be advertised to let to new entrants in the open market on a seven year Farm Business Tenancy commencing 25 March 2017 and terminating 25 March 2024 and as a mixed livestock enterprise expressly precluding the milking of dairy cows, subject to terms being agreed, and*

*The additional 23.13 acres of adjoining land known as Part Combe Royal be let to the new tenant of Higher Leigh farm under a consecutive series of 12 month Farm Business Tenancy Agreements, subject to terms being agreed, until such times as any development potential can be realised'.*

2.2 The Churchstow Estate comprises:

Higher Leigh Farm	34.86 hectares (86.14 acres)
Part Combe Royal Land	9.36 hectares (23.13 acres)
Total	44.22 hectares (109.27 acres)

2.3 At the County Farms Estate Committee meeting of 10 February 2011, members resolved under Minute Ref. FE/68(c) – Higher Leigh Farm, Churchstow:

*'(i) that the tenant of Higher Leigh Farm, Churchstow be offered a further but final 4 year Farm Business Tenancy of the majority of the holding extending to 86.14 acres or thereabouts for a term commencing 25 March 2013 and terminating 25 March 2017, subject to terms being agreed;*

*(ii) that the tenant be offered a series of 12 month Farm Business Tenancies of the 'Combe Royal' land amounting to 23.13 acres or thereabouts and more particularly known as OS 9006, 8596, 7003, 6595 and pt 6185 on the same terms as the main tenancy until such time as any development potential has been secured or discounted or until 25 March 2017 whichever is the sooner.*

2.4 In accordance with good estate management a Notice to Quit has been served on the tenant of Higher Leigh Farm to bring his tenancy to an end on the term date of 25 March 2017. He has appointed an agent who is to represent him throughout his end of tenancy valuation. Accordingly steps need to be taken to advertise the farm to let on the open market.

2.5 The user clause within the existing tenancy agreement is for a mixed agricultural enterprise but as the current tenant was originally let the farm as a dairy farming opportunity, he has been allowed to continue milking dairy cows subject to him doing so at his own risk and subject to him complying with all antipollution legislation. The infrastructure on the holding is not currently adequate to ensure that a dairy tenant could, in all probability, comply with antipollution legislation at all times. The infrastructure is however reasonably well suited as a mixed non-dairy livestock and arable unit. The opportunity to relet the farm to a new entrant presents an opportunity to cease milk production from dairy cows on the holding once and for all.

### **3 Lower Chitterley Farm, Bickleigh**

3.1 *'That the tenant's early surrender of his Farm Business Tenancy of Lower Chitterley Farm, Bickleigh, effective at 25 March 2017, be accepted by the landlord, and*

*That in the first instance the house buildings and 149.91 acres or thereabouts of land comprising Lower Chitterley Farm, Bickleigh be advertised to let internally to existing*

*tenants as a potential progression opportunity on a Farm Business Tenancy for a term of up to fifteen years commencing 25 March 2017, subject to terms being agreed, and*

*That should no existing tenants apply for or be offered a tenancy of Lower Chitterley Farm, Bickleigh the house buildings and 149.91 acres or thereabouts of land be advertised to let to new entrants in the open market on a seven year Farm Business Tenancy commencing 25 March 2017 and terminating 25 March 2024, subject to terms being agreed, and*

3.2 The Bickleigh Estate comprises:

Lower Chitterley Farm (incorporating land at Dorweeke)	60.46 hectares (149.41 acres)
Total	60.46 hectares (149.41 acres)

3.3 Members will recall that Lower Chitterley Farm was advertised to let on the open market as recently as 2013. Members will also recall receiving two subsequent new entrant monitoring reports confirming that the current tenant had established a very successful and rapidly expanding business. Furthermore the reports noted that the current tenant had almost completed the significant schedule of dilapidation remedial works commenced by the former tenant. It is pleasing to be able to report that the farm has now been put back in to good tenantable repair order and condition and is now a highly productive and reasonably well equipped mixed livestock and arable unit.

3.4 However, perhaps more pleasing is the opportunity to report to Members that the current tenant, has secured a progression move beyond the Estate and has requested that he be allowed to surrender his lease at 25 March 2017.

#### **4. Lomans Farm, Broadhempston**

4.1 *That the offer from a neighbouring special purchaser be accepted and that 0.012 ha of Part OS 4115 be declared permanently surplus to the operational requirements of the Estate and sold.*

4.2 Lomans Farm comprises 26.78 hectares (66.18 acres) or thereabouts and is let as a starter farm. The majority of the farm is within a ring fence approximately half a mile from the centre of the village of Broadhempston. There are two fields in the village centre. OS 4115 (a former orchard) borders Radfords, a courtyard of properties currently being developed. At the end of the courtyard the last cottage is built into the hill and the side wall is affected by damp. Terms have been agreed to sell 0.012 ha to the adjoining owner in order that they may improve the condition of their property. Included in the sale is a length of wall which is believed to be listed. The access and use of the field will not be affected and the tenant has confirmed it will not compromise his business.

#### **5.0 Options/Alternatives**

5.1 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.

#### **6.0 Consultations/Representations/Technical Data**

6.1 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.

6.2 No other parties have been consulted and no other representations for or against the proposal have been received

6.3 The technical data is believed to be true and accurate.

## **7.0 Considerations**

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

## **8.0 Summary/Conclusions/Reasons for Recommendations**

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

*Rob Parkhouse*

### Electoral Divisions:

Teignbridge South; Thurlestone, Salcombe & Allington; Newton St Cyres and Sandford.

### Local Government Act 1972: List of Background Papers

None

### Who to contact for enquiries:

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