

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 approves the recommendations as set out in the opening paragraph of section 1, 2, 3, 4, 5, 6, 7 and 8 of this report.

1.0 Part East Week Farm II, South Tawton

It is recommended that the 11.83 acres or thereabouts of land at part East Week Farm 2, South Tawton and more particularly known as OS 8375, 8300 and 9300 be advertised to let in internal competition between the tenants of Lower East Week Farm, South Tawton; Smithscross Farm, Drewsteignton; Higher Fingle Farm, Drewsteignton; and East Fingle Farm, Drewsteignton on a three year Farm Business Tenancy commencing 25 March 2020 and expiring 25 March 2023, subject to terms being agreed.

1.1 The South Tawton Estate comprises:

- (i) East Week Farm I – 2.74 hectares (6.76 acres)
- (ii) Part East Week Farm I – 24.95 hectares (61.65 acres)
- (iii) Part East Week Farm I – 11.58 hectares (28.61 acres)
- (iv) Part East Week Farm II – 4.79 hectares (11.83 acres)
- (v) Lower East Week Farm – 30.30 hectares (74.88 acres)

Total – 74.36 hectares (183.73 acres)

1.2 In relation to part East Week Farm II, members resolved at the County Farms Estate Committee meeting of 19 February 2016, minute ref. FE/100(c):

‘that the 11.83 acres or thereabouts of land at part East Week Farm 2, South Tawton and more particularly known as OS 8375, 8300 and 9300 be advertised to let in internal competition between the tenants of Lower East Week Farm, South Tawton; East Week Farm 1, South Tawton; Smithscross Farm, Drewsteignton; Higher Fingle Farm, Drewsteignton and East Fingle Farm, Drewsteignton on a three year Farm Business Tenancy commencing 25 March 2017, subject to terms being agreed.’

- 1.3 The Committee resolution referred to above was subsequently actioned.
- 1.4 The current approved Farm Business Tenancy will expire 25 March 2020 and thus a new resolution is required for its future management, occupation and use thereafter.

2.0 Part Greenhills Farm, West Anstey

- (i) It is recommended that the current tenant be offered a further short term Farm Business Tenancy agreement of the 19.87 acres or thereabouts of land forming part Greenhills Farm, West Anstey and more particularly described as OS 2327, 3226, 4623 and 3009 for a term commencing 25 March 2020 and expiring 25 March 2023, subject to terms being agreed.

The West Anstey Estate comprises:

Part Greenhills Farm	8.04 hectares (19.87 acres)
Total	8.04 hectares (19.87 acres)

- 2.1 At the County Farms Estate Committee meeting of 16 July 2015, members resolved under minute ref: FE/82:

'that the current tenant be offered a further short term Farm Business Tenancy of the 19.87 acres or thereabouts of land forming part Greenhills Farm, West Anstey and more particularly described as OS 2327, 3226, 4623 and 3009 for a term commencing on 29 September 2016 and expiring on 25 March 2020, subject to terms being agreed';

- 2.2 The Committee resolution referred to above was subsequently actioned.
- 2.3 The current approved Farm Business Tenancy will expire 25 March 2020 and thus a new resolution is required for its future management, occupation and use thereafter.
- 2.4 Part Greenhills Farm is isolated. The nearest County Farm to this retained land is Nutcombe Farm, Rose Ash, some 7 miles or thereabouts distance by road.
- 2.5 The retained 19.87 acres of land is being held by the Estate pending some long term development potential.
- 2.6 While that development potential exists, the land does need to be occupied and managed. Accordingly it is recommended that the current tenant and good custodian be offered, on a subject to contract basis, a further short term Farm Business Tenancy of it.

3 Southacott Farm, Mariansleigh

It is recommended that:

- (i) Vacant possession of Southacott Farm, Mariansleigh be secured at 25 March 2020.
- (ii) The Committee approves the reletting of the farmhouse, buildings and 216.67 acres or thereabouts of land at Southacott Farm, Mariansleigh as an equipped residential progression dairy farm in internal competition between existing tenants of the Estate and on a Farm Business Tenancy commencing 25 March 2020 and expiring 25 March 2035, subject to terms being agreed.

3.1 The Mariansleigh Estate comprises:

Southacott Farm	87.68 hectares (216.67 acres)
Lower Uppacott Farm	34.58 hectares (85.45 acres)
Total	122.26 hectares (302.12 acres)

3.2 Southacott Farm is currently occupied on a Farm Business Tenancy expiring 25 March 2020.

3.3 By 25 March 2020 the current tenant of Southacott Farm will have been on the County Farms Estate for the maximum term of 25 years permitted under current policy.

4.0 Higher Bradaford Farm, Virginstow

It is recommended that:

- (iii) Vacant possession of Higher Bradaford Farm, Virginstow be secured at 25 March 2020.
- (iv) The Committee approves the reletting of the farmhouse, buildings and 137.04 acres or thereabouts of land at Higher Bradaford Farm, Virginstow as an equipped residential starter dairy farm on the open market and on a Farm Business Tenancy commencing 25 March 2020 and expiring 25 March 2027, subject to terms being agreed.
- (v) It is recommended that 4m² or thereabouts of land at Higher Bradaford Farm, Virginstow (part NG 5757) be let on a Digital Economy Act 2017, Electronic Communications Code Lease to Airband Community Internet Ltd for a term of 10 years, subject to terms being agreed.

4.1 The Virginstow Estate comprises:

Higher Bradaford Farm	55.46 hectares (137.04 acres)
Total	55.46 hectares (137.04 acres)

4.2 Higher Bradaford Farm is currently occupied on a Farm Business Tenancy expiring 25 March 2020.

- 4.3 Members of the County Farms Estate Committee resolved at its meeting of 3 November 2011, under minute ref FE/1139(b)(i):

'that the tenant of Higher Bradaford Farm, Virginstow be offered a further but final seven year Farm Business Tenancy of the holding for a term commencing 25 March 2013 and terminating 25 March 2020, subject to terms being agreed'.

- 4.4 The County Council is a stakeholder in the Connecting Devon and Somerset (CDS) programme. CDS is the largest publicly subsidised rural broadband programme in England. Two contractors have been appointed to deliver the programme. Wireless broadband provide, Airband, was awarded one lot covering northern and western Devon and the remaining five lots were awarded to full fibre provider Gigaclear.
- 4.5 Airband have identified a site on Higher Bradaford Farm where they would like to site a 12m high pole with consumer radios to support their wireless network rollout.
- 4.6 Initially it was proposed by Airband that they would take a simple licence to occupy but subsequent negotiation of the terms and conditions of occupation have led to the arrangement being considered to be more akin to a lease under the new Code than a licence.

5.0 Land at Furze Cottages Farm, Ashreigney

It is recommended that 4m² or thereabouts of land at Furze Cottages Farm, Ashreigney (part NG 6418) be let on a Digital Economy Act 2017, Electronic Communications Code Lease to Airband Community Internet Ltd for a term of 10 years, subject to terms being agreed.

- 5.1 The Ashreigney Estate comprises:

Furze Cottages Farm	42.51 hectares (105.08 acres)
Furze Barton Farm	54.32 hectares (134.23 acres)
Part Firsdon Farm	30.56 hectares (75.60 acres)
Total	127.39 hectares (314.91 acres)

- 5.2 Furze Cottages Farm and Part Firsdon Farm is in the process of being relet on the open market.
- 5.3 The County Council is a stakeholder in the Connecting Devon and Somerset (CDS) programme. CDS is the largest publicly subsidised rural broadband programme in England. Two contractors have been appointed to deliver the programme. Wireless broadband provide, Airband, was awarded one lot covering northern and western Devon and the remaining five lots were awarded to full fibre provider Gigaclear.

- 5.4 Airband have identified a site on Furze Cottages Farm where they would like to site a 12m high pole with consumer radios to support their wireless network rollout.
- 5.5 Initially it was proposed by Airband that they would take a simple licence to occupy but subsequent negotiation of the terms and conditions of occupation have led to the arrangement being considered to be more akin to a lease under the new Code than a licence.

6.0 Thorne Farm, Ottery St Mary

It is recommended that Thorne Farm, Ottery St Mary be declared permanently surplus to the operational requirements of the Estate and:

- (i) Part of the site be transferred to the Dioceses of Exeter for the provision of a new primary school to replace the one at Tipton St John and afford additional capacity for the expanding town of Ottery St Mary, subject to planning and terms being agreed.
- (ii) Part of the site be sold on the open market for residential development to raise essential capital required to finance the construction of the new primary school referred to in (i) above, subject to planning and terms being agreed.

6.1 The Ottery St Mary Estate comprises:

Cotley Farm	49.45 hectares (122.18 acres)
Thorne Farm	10.82 hectares (26.74 acres)
Total	60.27 hectares (148.92 acres)

- 6.2 The farmhouse and buildings at Thorne Farm, Ottery St Mary were sold off many years ago. The 26.74 acres or thereabouts of bare land has been retained and farmed by a local County Farms Estate tenant.
- 6.3 Thorne Farm has been identified for many years as a potential development site for the expansion of Ottery St Mary. Part of the land (8.08 acres) has been allocated within the adopted New East Devon Local Plan 2013-2031 for community/education use (Para 12.5c). Strategy 24 – Development at Ottery St Mary makes the following statement:

“Social and Community Facilities – support the schools, health and other service providers to meet their accommodation needs, including allocating land West of Kings School for community and educational uses. Further development in Ottery St Mary and surrounding areas will generate the need for additional primary school places”.

- 6.4 The Ottery St Mary and West Hill Neighbourhood Plan was ‘made’ by East Devon District Council on 19 July 2018 and now forms part of the Local Development Plan. Part of Thorne Farm is identified for educational and/or community use under NP25 of the Neighbourhood Plan.

- 6.5 The current primary school at Tipton St John is in a high flood risk zone and has been identified by the Environment Agency as a potential 'risk to life'. The County Council has undertaken a feasibility study to relocate the Tipton St John primary school and part Thorne Farm has been identified as the only viable site.
- 6.6 There is currently a substantial funding gap between the capital available for the replacement school build and the forecast cost of actually building the school. To enable the new school to be built the County Council will need to raise a significant additional capital receipt. The County Council is thus in early discussions with East Devon District Council over a potential outline planning application for the new school and a housing development on Thorne Farm.

7.0 Land at Aldens Farm, Alphington

It is recommended that the 25.91 acres or thereabouts of land at Aldens Farm, Alphington be declared permanently surplus to the operational requirements of the Estate and sold.

- 7.1 The Alphington/Ide Estate comprises:

Markhams Farm	111.71 hectares (276.03 acres)
Part Aldens Farm	10.49 hectares (25.91 acres)
Total	122.20 hectares (301.94 acres)

- 7.2 Markhams Farm is arguably one of the best equipped dairy holdings on the Estate. It is occupied on a Farm Business Tenancy until 25 March 2026.
- 7.3 The land at Aldens Farm has been occupied on a series of consecutive short term Farm Business Tenancies for many years while the development potential of the land has been explored.
- 7.4 Land at Aldens Farm is allocated for residential development within the Exeter City Core Strategy under Policy CP1. It also forms part of the wider South West Exeter Urban Extension which provides for some 3,500 dwellings within the plan period up to 2026 to meet the evidenced housing need.
- 7.5 An outline residential development planning application was submitted and validated on 5 June 2015 (Ref 15/0640/OUT). Planning consent is expected to be granted by Exeter City Council soon.

8.0 Part Middle Winsham Farm, Braunton

It is recommended that following the open market letting campaign for the 123.79 acres or thereabouts of land at Middle Winsham Farm, Braunton, the land be let to Mr AS on a fixed term Farm Business Tenancy Agreement commencing 25 June 2018 and terminating 25 March 2021, all in accordance with the detailed terms and conditions agreed.

- 8.1 The Braunton Estate Comprises:

Middle Winsham Farm	40.23 hectares (99.40 acres)
Part Middle Winsham	50.09 hectares (123.79 acres)
Total	90.32 hectares (223.19 acres)

- 8.2 At the County Farms Estate Committee meeting of 11 December 2017 members resolved under minute reference FE/26(b)(v):

“that the 123.99 acres or thereabouts of land forming part Middle Winsham Farm, Braunton be temporarily offered to let to the prospective tenants of Chapel Farm, and/or Prieford Barton Farm, Marwood for the term 25 March 2018 to 25 March 2021, subject to terms being agreed”.

- 8.3 Chapel Farm was subsequently advertised to let internally but no existing tenants applied for the tenancy of the holding. The farm was then advertised to let on the open market.
- 8.4 An interview panel was convened on 4 April 2018 to consider the open market applications for Chapel Farm. No applicants for Chapel Farm chose to apply for the land at Middle Winsham as ‘away’ ground to the main holding. As a consequence the members of the interview panel asked the land agents to put the Middle Winsham land on the open market to let until such times as it can be amalgamated with the main Middle Winsham Farm.
- 8.5 An open market advertising campaign was conducted and a competent local farmer was granted a fixed term Farm Business Tenancy on commercial terms. The County Solicitor does however require a formal committee resolution to ratify this course of action and to complete the lease.

9.0 Options/Alternatives

- 9.1 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.

10.0 Consultations/Representations/Technical Data

- 10.1 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.
- 10.2 No other parties have been consulted and no other representations for or against the proposal have been received
- 10.3 The technical data is believed to be true and accurate.

11.0 Considerations

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

12.0 Summary/Conclusions/Reasons for Recommendations

12.1 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:

Hatherleigh & Chagford; South Molton Rural; Holsworthy Rural; Torrington Rural; Otter Valley; Alphington & Cowick; Braunton Rural

Local Government Act 1972: List of Background Papers: None

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