

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 and 3 of this report.

1.0 Land at Cofton Cross, Dawlish

It is recommended that:

- (i) The Case G Notice to Quit served on the personal representatives of the late tenant of the land at Cofton Cross be upheld.
- (ii) The land at Cofton Cross be offered to the family of the deceased tenant on a series of consecutive fixed term 12 month Farm Business Tenancy agreements commencing 25 March 2022 until such times as the land may be required for any form of alternative use, and subject to terms being agreed each year.

1.1 The Dawlish Estate comprises:

Duckaller Farm	–	36.31 hectares (89.72 acres)
New Gulliford Farm	-	36.55 hectares (90.31 acres)
Land at Cofton Cross	-	3.09 hectares (7.64 acres)
Total	–	75.95 hectares (187.67 acres)

1.2 An area of bare land amounting to 7.64 acres or thereabouts known as ‘Land at Cofton Cross’ is let to a tenant on a 1986 Agricultural Holdings Act ‘lifetime’ tenancy.

1.3 The tenant sadly passed away this spring and a valid Case G Notice to Quit under the Agricultural Holdings Act 1986 was served on the personal representatives of the late tenant. The notice was also served on the Public Trustee. The notice to quit will take effect at 25 March 2022.

1.4 The family of the late tenant have expressed interest in continuing to rent the land.

- 1.5 The land is being held for mid to long term strategic development potential which may or may not come to fruition. Given this potential it would be folly to sell the land before any such development potential could be realised. The land is detached from any other County Farms and of no obvious material benefit to the Estate tenants farming nearby.
- 1.6 The deceased tenant always maintained the land well and paid the rent on time and in full. The County Council will require a good custodian of this land, paying a market rent for it, until such times as any alternative use or development could be pursued.

2.0 Endfield Farm, Sandford

It is recommended that:

- (i) The tenant of Endfield Farm, Sandford be invited to surrender from his lease OS 7400, 0005, 6200, 5203 and 5200
- (ii) OS 7400, 0005, 6200, 5203 and 5200 forming part Endfield Farm, Sandford and amounting to 11.52 acres or thereabouts be declared permanently surplus to the requirements of the Estate so that it can be sold to the tenant of Endfield Farm, Sandford

2.1 The Sandford Estate comprises:

Endfield Farm	–	53.22 hectares (131.57 acres)
Total	–	53.22 hectares (131.57 acres)

- 2.2 Endfield Farm is the creation of two holdings being amalgamated. The former Frostlands Farm farmhouse and some land was sold in c.2003 and the remaining 62 acres or thereabouts of land and two sets of old farm buildings was amalgamated with Endfield Farm.
- 2.3 The former Frostlands Farm buildings were scheduled redundant but it is understood they have remained in agricultural use ever since.
- 2.4 The buildings are potentially suitable for the creation of one or more dwellings through Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 2.5 The current tenant of Endfield Farm has purchased land nearby where he is in the process of creating a new dairy set up, complete with an agriculturally tied dwelling, in advance of his progression beyond the Estate in 2023.
- 2.6 The current tenant expressed interest in buying the barns and some land around them which can be connected to his own land. As a sitting tenant, the Council can potentially treat direct with the tenant without market competition. The sitting tenant will however be required to pay market value (with no sitting tenant discount) for any potential purchase.
- 2.7 An independent valuation of the barns and land was commissioned on the basis that the property be valued at open market value and with a special

assumption that permitted development for one or more dwellings could be secured.

- 2.9 Subject to contract and committee approval heads of terms have been agreed in principle to sell the barns and 11.52 acres or thereabouts of land to the tenant of Endfield Farm at open market value.

3.0 Part Westcott Farm, Burlescombe

It is recommended that:

- (i) The tenant of Westcott Farm, Burlescombe be invited to surrender from his lease OS 7429
- (iii) OS 7429 forming part Westcott Farm, Burlescombe and amounting to 2.14 acres or thereabouts be declared permanently surplus to the requirements of the Estate so that it can be sold to the tenant of Westcott Farm, Burlescombe.

- 3.1 The Burlescombe Estate comprises:

Westcott Farm	–	84.58 hectares (209 acres)
Total	–	84.58 hectares (209 acres)

- 3.2 Westcott Farm is the creation of four farms being amalgamated. The former farmsteads of Pugham, Ebbear and Kilnview Farms were sold off and the residual land amalgamated with Westcott.
- 3.3 The current tenant of Westcott Farm used to occupy Pugham Farm and was relocated in 2003 to accelerate the Estate's restructuring and rationalisation programme. As part of the relocation package part of the Pugham farmstead comprising a mix of landlord and tenant buildings was retained and let with Westcott Farm.
- 3.4 The buildings are potentially suitable for the creation of one or more dwellings through Class Q or for some form of commercial use through Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 3.5 The current tenant is using the landlord's buildings for some general agricultural use and storage and his own tenant's fixture buildings (erected while he occupied Pugham Farm) for youngstock accommodation. Having youngstock accommodated away from the main holding is however not ideal and the tenant is currently seeking landlord's consent to replace the buildings with more modern purpose built buildings at the main Westcott farmstead.

4.0 Options/Alternatives

- 4.1 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.

5.0 Consultations/Representations/Technical Data

- 5.1 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.
- 5.2 No other parties have been consulted and no other representations for or against the proposal have been received
- 5.3 The technical data is believed to be true and accurate.

6.0 Financial Considerations

- 6.1 The Author is not aware of any financial issues arising from this report.

7.0 Environmental Impact Considerations (including Climate Change)

- 7.1 The Author is not aware of any environmental impact (including climate change) issues arising from this report.

8.0 Equality Considerations

- 8.1 The Author is not aware of any equality issues arising from this report.

9.0 Legal Considerations

- 9.1 The Author is not aware of any legal issues arising from this report.

10.0 Risk Management Considerations

- 10.1 The Author is not aware of any obvious risks to manage.

11.0 Public Health Impact

- 11.1 The Author is not aware of any public health impact.

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: Dawlish; Creedy, Taw & Mid Exe; Willand & Uffculme

Local Government Act 1972: List of Background Papers: None

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