

The County Farms Estate
Management and Restructuring

Report of the Head of Digital Transformation and Business Support (Interim)

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 sections 1 and 2 of this report.

1.0 Lower East Week Farm, South Tawton

1.1 It is recommended that:

- (i) The Case G Notice to Quit served on the personal representatives of the late tenant of Lower East Week Farm, South Tawton be upheld and vacant possession of the holding be taken at 24 March 2024.
- (ii) OS 669, Pt 670 and Pt 578 forming part Lower East Week Farm, South Tawton comprising the house, buildings and 3.00 acres or thereabouts of land be declared permanently surplus to the operational requirements of the Estate and sold on the open market.
- (iii) The remaining bare land amounting to 60.00 acres or thereabouts be advertised to let in internal competition between the tenants of East Week Farm (land), South Tawton; Smithscross Farm, Drewsteignton; Higher Fingle Farm, Drewsteignton; and East Fingle Farm, Drewsteignton on a Farm Business Tenancy for a term of up to five years commencing 25 March 2024, subject to terms being agreed.
- (iv) The committee resolution of 29 November 2021 (FE/13(a)) be superseded with the following proposal:
 - (a) that the 11.83 acres or thereabouts of land at part East Week Farm II, South Tawton and more particularly known as NG 8375, 8300 and 9300 be advertised to let in internal competition between the tenants of East Week Farm (land), South Tawton; Smithscross Farm, Drewsteignton; Higher Fingle Farm, Drewsteignton; and East Fingle Farm, Drewsteignton on a 12 month Farm Business Tenancy commencing 25 March 2023 and expiring 25 March 2024, subject to terms being agreed'.
 - (b) that at 25 March 2024 the 11.83 acres be merged with and let with the bare land forming part Lower East Week Farm in internal competition between the tenants of East Week Farm (land), South Tawton; Smithscross Farm, Drewsteignton; Higher Fingle Farm, Drewsteignton; and East Fingle Farm, Drewsteignton on a Farm Business Tenancy for a term of up to five years commencing 25 March 2024, subject to terms being agreed.

1.2 The South Tawton Estate comprises:

- (i) Part East Week Farm I – 24.95 hectares (61.65 acres)
- (ii) Part East Week Farm I – 11.58 hectares (28.61 acres)
- (iii) Part East Week Farm II – 4.79 hectares (11.83 acres)
- (iv) Lower East Week Farm – 25.52 hectares (63.05 acres)

Total – 66.84 hectares (165.14 acres)

1.3 Lower East Week Farm was let to a tenant on an Agricultural Holdings Act 1986 'lifetime' tenancy.

1.4 The tenant sadly passed away on 26 May 2022 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 has not been contested within the statutory timeline. The notice to quit will take effect at 25 March 2024.

1.3 The farmhouse at Lower East Week is listed and the infrastructure on the holding is poor.

1.4 The Estate Asset Management Plan suggests Lower East Week Farm is a holding that should NOT be retained and relet in accordance with the objectives of the Estate Policy and Strategy.

1.5 The former Estate plan (2002 to 2012) also suggested the Lower East Week Farmstead should be sold and the retained land kept and let internally to tenants within reasonably close proximity to it.

1.6 At the County Farms Estate Committee meeting of 29 November 2021, members resolved under minute ref FE/13(a):

'that the 11.83 acres or thereabouts of land at part East Week Farm II, 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 2023 and expiring 25 March 2026, subject to terms being agreed'.

1.7 It would be desirable for cost effective Estate management purposes if the tenancy of part East Week II could co-terminate with the tenancy of Lower East Week, enabling both blocks of land to be let as one unit. The above resolution would therefore need to be amended such that this block of land is only let on an interim 12 month Farm Business Tenancy commencing 25 March 2023 and expiring 25 March 2024.

2.0 Hurditch Farm, Lamerton

2.1 It is recommended that:

- (i) the tenants short notice to surrender be accepted

- (i) the land and buildings forming Part OS 9642 and extending to 1.00 acre or thereabouts be declared permanently surplus to the operational requirements of the Estate and sold on the open market.
 - (ii) Hurditch Farm, Lamerton be advertised to let on the open market as a new entrant opportunity and on a Farm Business Tenancy for a term of seven years commencing 25 March 2023 and terminating 25 March 2030, all subject to terms being agreed.
- 2.2 The tenant of Hurditch Farm, Lamerton has recently indicated that she wants to vacate the holding at 25 March 2023 and has signed a letter agreeing to sign an Agreement to Surrender and a Deed of Surrender effective at 25 March 2023.
- 2.3 The Estate Asset Management Plan suggests Hurditch Farm is a holding that should be retained and relet in accordance with the objectives of the Estate Policy and Strategy.
- 2.4 There is however a set of off lying buildings that have some development potential and may be suitable for conversion to a residential dwelling or dwellings subject to securing permitted development rights under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 or full planning permission.
- 2.5 The loss of these buildings and a small curtilage of land would not impact on the viability or rental value of the holding.
- 3.0 Options/Alternatives
 - 3.1 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.
- 4.0 Consultations/Representations/Technical Data
 - 4.1 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.
 - 4.2 No other parties have been consulted and no other representations have been received
 - 4.3 The technical data is believed to be true and accurate.
- 5.0 Financial Considerations
 - 5.1 The Author is not aware of any financial issues arising from this report.

6.0 Legal Considerations

6.1 The Author is not aware of any legal 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 Risk Management Considerations

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

10.0 Public Health Impact

10.1 The Author is not aware of any public health impact.

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).

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Electoral Divisions: Hatherleigh & Chagford; Okehampton Rural

Local Government Act 1972: List of Background Papers

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Background Paper: Nil