

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 section 1 of this report.

1.0 Part Cordwents Farm, Halberton

1.1 It is recommended that:

- (i) The Halberton Parish Council be granted a new 10 year security of tenure excluded common law tenancy of the property known as 'The Mead' in Halberton for a term commencing 25 March 2025 and expiring 25 March 2035 subject to terms being agreed. Such terms to include:
 - (a) Allowing the use of the site to be extended to accommodate a temporary and portable skate park
 - (b) Allowing the siting of a temporary and portable sports changing room facility
 - (c) An annual break clause should the land be required for any form of alternative use or development
 - (d) A right of access for the landlord to carry out all or any surveys and investigations associated with the potential for any form of alternative use or development
 - (e) A 'lift and shift' clause requiring the Parish Council to remove all apparatus and other infrastructure from the land prior to end of tenancy.
- (ii) The Halberton Parish Council be granted a 5 year security of tenure excluded common law tenancy of 1 acre or thereabouts of land in the North West Corner of NG0004 (adjoining the permissive path) forming part Cordwents Farm, Halberton for the sole use of providing a community growing space, subject to terms being agreed.

1.2 The Halberton Estate comprises:

(i)	Cordwents Farm (bare land and redundant building)	18.82 hectares (46.51 acres)
(ii)	The Mead (bare land)	0.69 hectares (1.71 acres)
(iii)	Garden licence approx.	0.04 hectares (0.1 acres)
(iv)	Garden licence approx.	0.04 hectares (0.1 acres)
	Total –	19.59 hectares (48.42 acres)

- 1.3 The Mead is currently occupied by the Halberton Parish Council on a common law tenancy which will expire 25 March 2025. The Parish Council use and manage the land for community recreational space and as a Devon Air Ambulance landing site.
- 1.4 Attached at Appendix A is a proposal from the Parish Council seeking a 20 year lease of the Mead, although they have indicated a 10 year lease would be acceptable in the alternative. The Parish Council is aware of the County Council's aspiration to potentially see this and other land at Corwents Farm sold for residential development at some point in the future.
- 1.5 Although the land is not allocated for residential development in the current Local Plan, it has been promoted by the County Council through previous Local Planning Authority 'calls for sites' exercises. Given the proximity of the Mead and indeed the large block of land forming former Cordwents Farm to the village envelope, the land would appear to have some development potential. The County Council must, so far as is practically and reasonably possible, ensure that any current and future uses and occupation of the land do not frustrate or obstruct the development potential.
- 1.6 Nevertheless, in the intervening years the Parish Council would like to make more use of the Mead and are now seeking a longer term lease from the County Council to enable S.106 monies to be drawn and invested in portable skate park infrastructure, and possibly a portable/temporary sports changing room facility. The Parish Council are aware that they would be required to remove all and any infrastructure from the land at the end of the lease.
- 1.7 The Parish Council would also like to rent additional land from the County Council to create a community growing space. Potentially suitable parts of Cordwents Farm were discussed at a subject to contract and committee approval meeting on 17 October 2022. The potential site proposed on behalf of the County Council was the north west corner of NG0004. This land can be accessed via a field gateway directly off the public highway or via the permissive path connecting the village to the Grand Western Canal.
- 1.8 Considering granting a lease of land to a Parish Council for community growing space would be very much in keeping with the recommendations of the Campaign to Protect Rural England (CPRE) report 'Reimagining Council Farms – A vision for 2040 (Committee Report BSS/22/09 of 16 May 2022 refers). In the report the CPRE envisage that, inter alia, by 2040 *'Council farmland now supports a greater variety of types and scales of land-based businesses through establishing networks of smaller-scale incubator holdings and holdings managed by groups working cooperatively. Council farms in turn have helped to revitalise local food supply serving local markets with fresh, affordable, seasonal produce – including via community supported agriculture....*
- 1.9 The Parish Council would like the community growing space to be located as close to the existing village envelope as possible. However, allotments and community growing spaces can be difficult (legally and practically) to break or relocate once established. Whilst acknowledging that the proposed site is not the Parish Council's preferred site and users of the facility will have to walk

further to access it, providing the proposed growing space in the recommended location is least likely to adversely affect the land with the greatest future development potential ie the land closest to the village envelope.

1.10 A current and indeed earlier requests to create an additional permissive path connecting Lower Town to the existing permissive path to the west of the cemetery has been rejected as it is considered that once established, and despite it being a permissive path as opposed to a prescriptive right of way, removing or relocating the path might prove challenging and thus has the potential to frustrate any future development prospects of the land closest to the current village envelope.

2.0 Options/Alternatives

2.1 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.

3.0 Consultations/Representations/Technical Data

3.1 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.

3.2 No other parties have been consulted and no other representations have been received

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

4.0 Financial Considerations

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

5.0 Legal Considerations

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

6.0 Environmental Impact Considerations (Including Climate Change)

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

7.0 Equality Considerations

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

8.0 Risk Management Considerations

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

9.0 Public Health Impact

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

10.0 Summary/Conclusions/Reasons for Recommendations

10.1 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: Tiverton East

Local Government Act 1972: List of Background Papers

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Background Papers Nil

Halberton Parish Council

Following a meeting with Dan Meek, Halberton Parish Council would like Devon County Council to consider the following requests:

1. Community Growing Area

The cost of living crisis and climate change are both extremely important issues and, therefore, a community growing area would benefit the local residents and be environmentally friendly by not having to ask parishioners to travel by car to other parishes to obtain an allotment. It would also bring the community together and could provide produce to the local clubs who provide meals through such outlets as the Lunch Club. This winter the Village Hall will be acting as a 'warm space' for parishioners.

Subsequent to the meeting on 17 October 2022, the Parish Council has gone out to the parish through social media regarding the possibility of putting in place a community growing area.

The Facebook post has been seen by 87 (less than 10% of the population) and there have been 6 expressions of interest.

The Parish Council is fully behind the project and will be writing an article in the next Parish Newsletter due to be circulated in December. If a similar take up to the Facebook page is received then that would be 60 expressions of interest. Even half this number would make a community growing area a feasible project.

In addition, Halberton Primary School is keen to come on board to provide an educational and citizenship experience for their pupils:

Steven Badcott, Head at the school:

“Halberton Primary School would very much support the establishment of a community growing scheme or allotment. Children have been participating in growing produce in our own school garden but space is limited and our children would value the opportunity to be involved in something wider and more community-focussed. Being part of a community-driven project would help the children see the wider benefits of growing food, especially in such challenging times, and help develop their own sense of citizenship in seeing their contribution help others locally”.

The teacher of Years 1 & 2:

“Depending of the route to walk to the allotments, Year 1 and 2 could benefit from opportunities to learn to name plants and parts of plants (especially if someone is willing to dig some up with us!), and to observe how seeds and bulbs mature into plants, as well as how an allotment might shift and change through the seasons. Our food technology projects are full of opportunities to chop, slice and mash vegetables: it would be good to see these from soil (rather than supermarket) to plate”.

Given the above remarks from the school and the need for the community growing area to be easily accessible without the need to travel by car, the Parish Council would ask Devon County Council to consider an area of ground that is a reasonable distance for children to be able to walk along a safe route within the time-scales of the school day and lesson periods.

Devon County Council own land directly opposite that lane that leads to school which then runs along to the canal and up to Crown Hill. An area of land as close as possible to the

school and with access from the permissive path that leads to the canal would be ideal. The Parish Council has access to water at the cemetery which backs onto the DCC land in question.

The Parish Council understands that Devon County Council wish to retain ownership of the land in question which is currently leased to a local farmer.

If it was possible for the Parish Council to lease an area of this land of approximately one acre from Devon County Council on the same terms as the local farmer, it would ensure that DCC could reclaim the land in the same time-scales that currently exist. All costs associated with access to the land and the fencing of the land would be met by the Parish Council.

Access to the land could be by means of the existing permissive path. However, if access could be given opposite the lane leading to the school this would provide a safe route for the children.

The Parish Council is in consultation with Highways to provide flashing lights, additional school signs and a pavement on the stretch of Lower Town where the school lane exits.

Having the community growing area in place for the next growing season would be seen to be highly beneficial to the community.

2. Extended lease of The Mead

The Parish Council currently holds a 5 year lease on the area known as The Mead and would ask Devon County Council if the lease could be extended to a 20 year period to allow for the provision of facilities for teenagers.

Following consultation with youngsters within the village, the most popular option would appear to be bike ramps. This would take young cyclists off the narrow 30mph village roads and provide a safe area.

The Parish Council is investigating possibilities with a view to retaining the football pitch (new goal posts are currently being installed) and providing a track either around the field itself or at the far end away from housing. The equipment used on The Mead would be removable but does require a concrete base which would be removed should Devon County Council wish to terminate the lease, and a new location can then be sought.

The provision of an outside table tennis is also proving popular.

The Parish Council has S106 monies specifically designated to teenage facilities which could be utilised to provide these facilities.

Expanding the facilities at The Mead will also allow the Recreation Ground to be more-friendly for the younger children in the parish by providing an area for the older children.

In order to provide further safe access, the Parish Council would propose putting a path in from the Platinum Jubilee Car Park to The Mead. Again this path could be closed off should DCC wish to develop the land or, indeed, may be kept given that it would provide visitors a safe route from the car park. Any costs associated with the path would be met by the Parish Council.

The Parish Council would also like DCC to consider the possibility of them providing some sort of temporary changing room/under cover area for teenagers on The Mead. Electricity is already present in the adjacent car park. If this is not possible, alternative sites will be considered.

There is also an amenity area at the end of the car park that could also benefit from the changing rooms.

If a 20 year lease is not possible then the Parish Council would hope that a term of 10 years could be agreed. If not, it is very much hoped tht the existing 5 year lease can remain in place and be renewed and that DCC would permit the additional recreational facilities for the teenagers within the village.

The current lease runs for 5 years from 25 March 2020.

The Parish Council believe these additional facilities would significantly reduce anti-social behaviour within the village.

If permission is given for the community growing area and the additional facilities to the Mead then the Parish Council would ensure that risk assessments were carried out and provided to DCC. In addition, policies would be agreed and put in place to ensure that the equipment is regularly checked and maintained, that there is a management agreement in place for both sites and a code of conduct for their use to prevent anti-social behaviour, ensure safe-guarding is in place and that both sites remain tidy at all times. Both sites would fall under the Parish Council's insurance policy and any adjustments to the schedule would be put in place.