

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: That the Committee approves the recommendations as set out in the opening paragraph of section 2.1, 2.2, 2.3 and 2.4 of this report.

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### **1. Background/Introduction**

Decisions to declare any asset surplus to the requirements of the Estate in advance of disposal must be approved by the County Farms Estate Committee. All or any estate rationalisation or restructuring proposals must also be approved by the Committee. Proposals to let or continue to let all or any part of the Estate to any tenants and for how long need to be approved by the Committee. The appointment of new tenants either from the open market (starter farms) or internally (progression farms) are delegated to an Interview Panel sub-committee convened to meet as and when required.

### **2. Proposals to sell, let or restructure the Estate**

#### **2.1 Part Cordwents Farm, Halberton**

2.1.1 It is recommended that:

- (a) The consent for the tenant to place fixtures, fittings, chattels or improvements on the site be expanded from 'a temporary/portable skate park' to 'a temporary/portable skate park or similar teen focused equipment'
- (b) The Halberton Parish Council be granted a 5 year security of tenure excluded common law tenancy of 0.5 acre or thereabouts of land forming NG Pt 3881 forming part Cordwents Farm, Halberton for the sole use of providing a community growing space, subject to terms being agreed.

2.1.2 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) |

2.1.3 At the County Farms Estate Committee meeting of 5 December 2022 members considered report BSS/22/156 and resolved under minute ref: FE/56:

- (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 five year security of tenure excluded common law tenancy of one 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, and that users of the land be encouraged to access the land by means of sustainable travel.
- 2.1.4 Heads of terms for the new lease of the property known as 'The Mead' have been agreed in principle but the Parish Council has asked if the use of the site and the consent to place fixtures, fittings and improvements on the site can be broadened from 'a temporary and portable skate park' to 'a temporary/portable skate park or similar teen focused equipment'.
- 2.1.5 The County Solicitors office has advised that it would be prudent to seek the approval of the County Farms Estate Committee to this minor amendment.

2.1.6 The Parish Council also declined the offer of tenancy of Part NG 0004 for the sole use as a community growing space. Through representations made to the Local Member by the Parish Council, officers of the County Council have agreed that the Parish Council can be offered NG Pt 3881, immediately adjacent to the village, in the alternative. Officers understand the risks this proposal may presents to any future development prospects this area of land may have.

## **2.2 Part Nutcombe Farm, Rose Ash**

It is recommended that:

- (i) The tenants proposed voluntary surrender of NG 0017 extending to 0.78 acres or thereabouts of land be accepted.
- (ii) That NG 0017 extending to 0.78 acres or thereabouts of land be declared permanently surplus to the operational requirements of the estate so that it can be sold to the neighbouring special purchaser.

2.2.2 The Rose Ash Estate comprises:

|      |                   |                                |
|------|-------------------|--------------------------------|
| (i)  | Nutcombe Farm     | 103.67 hectares (256.23 acres) |
| (ii) | East Catkill Farm | 76.10 hectares (188.08 acres)  |
|      | Total             | 179.77 hectares (444.31 acres) |

2.2.3 In 2021 a small copse (NG 0017) extending to 0.78 acres or thereabouts and believed to have previously formed part of a former Devon County Council highway depot site was identified as being 'in hand' as part of a county wide exercise known colloquially as the 'orphaned land' project. It was agreed that the copse would be 'allocated' to the County Farms Estate for future management.

2.2.4 In 2022 the copse was amalgamated and let with Nutcombe Farm to ensure it was at least being occupied 'on paper' and so that our custodian tenant could keep a local watch against trespass etc.

2.2.5 It is understood the neighbouring former highway depot site has recently been sold and the new owner has expressed interest in purchasing the copse.

2.2.6 The copse has no real value to the farm or the estate.

## **2.3 Markhams Farm, Ide**

2.3.1 It is recommended that:

- (i) The tenants proposed early surrender of his tenancy of Markhams Farm and his supplemental tenancy of Part Markhams Farm, be accepted.

- (ii) The farmhouse, buildings and 111.67 hectares (276.03 acres) or thereabouts of land at Markhams Farm, Ide be advertised to let as an equipped residential progression dairy farm in internal competition between existing tenants of the Estate and on a Farm Business Tenancy for a term of up to fifteen years commencing 25 March 2024 and expiring 25 March 2039, subject to terms being agreed.

2.3.2 The Ide Estate comprises:

|                      |                                  |
|----------------------|----------------------------------|
| (a) Markhams Farm    | – 111.67 hectares (276.03 acres) |
| (b) Part Aldens Farm | – 0.31 hectares (0.76 acres)     |
| Total                | – 111.98 hectares (276.79 acres) |

2.3.3 Markhams Farm comprises a house, buildings and 276.03 acres or thereabouts of land and is let to the current tenant on a Farm Business Tenancy Agreement under the Agricultural Tenancies Act 1995 expiring 25 March 2026.

2.3.4 The current tenant is planning to retire from active farming and has asked if he can surrender his tenancy and vacate the holding at 25 March 2024.

2.3.5 Markhams Farm has proven to be a successful and profitable farming opportunity for the current tenant.

2.3.6 The farm is a well equipped dairy holding complete with NVZ compliant slurry store. The current tenant has invested in a number of tenant's fixture or improvements, some of which ought to be taken over by the landlord at end of tenancy. The holding should afford an existing starter farm tenant with a good progression opportunity. It is therefore proposed to advertise the farm to let internally in the first instance.

**2.4 Land at Lower Farm, High Bickington**

2.4.1 It is recommended that the 7.37 hectares (18.21 acres) or thereabouts of barn and land at High Bickington be advertised to let in internal competition between the tenants of Lower Farm, High Bickington; Great Blakewell Farm, Chittlehampton; Lower Northchurch Farm, Yarnscombe; Furze Cottages Farm, Ashreigney; Furze Barton Farm, Ashreigney; and Ten Oaks Farm, Roborough on a 6 year Farm Business Tenancy (or for a shorter term to co-terminate with the term date of the successful tenants main holding tenancy) commencing as soon as practically and legally possible, subject to terms being agreed.

2.4.2 The High Bickington Estate comprises:

|                                  |   |                              |
|----------------------------------|---|------------------------------|
| (i) Lower Farm                   | - | 33.44 hectares (82.64 acres) |
| (ii) Part Little Bickington Farm | - | 0.86 hectares (2.13 acres)   |
| Total                            | - | 34.30 hectares (84.77 acres) |

- 2.4.3 The County Council has had a subject to contract offer accepted to purchase 18.21 acres of land near High Bickington to replenish some of the land sold and as part of the approved strategic plan to maintain an estate of 10,000 acres in size.
- 2.4.4 Approximately 2 acres of retained land following the sale of the former Little Bickington Farm, High Bickington is allocated for residential development in the local plan.
- 2.4.5 A public consultation and planning application for residential development on the 2 acre site is pending. Should planning consent for residential development be secured and the 2 acre site sold, then the potential capital receipt is likely to be greater than the cost of purchasing the 18 acres of land, thus the size of the estate can be increased by a net 16 acres and a net capital receipt can be generated for wider County Council expenditure through this example of good estate management.

### **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 Strategic Plan**

- 5.1 <https://www.devon.gov.uk/strategic-plan/>
- 5.2 The prudent management of the County Farms Estate, in accordance with the County Farms Estate Strategic Review (April 2010), is well aligned with Strategic Plan priorities such as:
- Investing in Devon's economic recovery - ensure financial resilience of the Council.

### **6.0 Financial Considerations**

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

## **7.0 Legal Considerations**

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

## **8.0 Environmental Impact Considerations (Including Climate Change)**

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

## **9.0 Equality Considerations**

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

## **10 Risk Management Considerations**

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

## **11 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: Tiverton East; South Molton; Exminster &  
Haldon; Torrington Rural

Local Government Act 1972: List of Background Papers

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| Background Paper | Date | File Reference |
|------------------|------|----------------|
|------------------|------|----------------|

Nil

The above mentioned Reports are published on the Council's Website at:  
<http://democracy.devon.gov.uk/ieDocHome.aspx?bcr=1>