

TBS/24/2
Farms Estate Committee
19 February 2024

The County Farms Estate Management and Restructuring

Report of the Director of Transformation and Business Services

Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.

1) Recommendation

That the Committee approves the recommendations as set out in the opening paragraphs of sections 3.1 and 3.2 of this report.

2) 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.

3) Proposals to sell, let or restructure the Estate

3.1 Lower Chitterley Farm, Bickleigh

3.1.1 It is recommended that:

- (i) The tenants early surrender of Lower Chitterley Farm, Bickleigh be accepted.
- (ii) Lower Chitterley Farm, Bickleigh 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 2024 (or as soon as practically possible thereafter) and terminating 25 March 2031, all subject to terms being agreed.

3.1.2 The Bickleigh Estate comprises:

(i) Lower Chitterley Farm	60.66 hectares (149.91 acres)
Total	60.66 hectares (149.91 acres)

3.1.3 Lower Chitterley Farm, Bickleigh was let as a mixed livestock and arable starter holding from 25 March 2017. The current tenant satisfied his first and second monitoring visits and at the County Farms Estate Committee meeting of 26 September 2022, members resolved under minute reference FE/47(b)(iv) that:

'the tenant of Lower Chitterley Farm, Bickleigh be offered a second but final seven-year Farm Business Tenancy of the holding for a term commencing 25 March 2024 and terminating 25 March 2031, subject to terms being agreed'.

3.1.4 Heads of terms were agreed with the tenant of Lower Chitterley Farm for his second consecutive term on the holding but for personal reasons he has unfortunately, and at late notice, decided he cannot accept the offer of a second term of occupation.

3.2 Thorne Farm, Ottery St Mary

3.2.1 It is recommended that:

The 10.33 hectares (25.41 acres) or thereabouts of bare land at Thorne Farm, Ottery St Mary be advertised to let in internal competition between the tenants of Cotley Farm, Ottery St Mary; New Ford Farm, Rockbeare; Topshayes Farm, Aylesbeare; Lower Barton Farm, Aylesbere; and Perriton Barton Farm, Whimble on a series of 12 Month Farm Business Tenancy agreements, subject to the first agreement being for a term of 1.5 years terminating at 25 March 2026, and subject to terms being agreed.

3.2.2 The Ottery Estate comprises:

(i)	Thorne Farm (bare land)	10.33 hectares (25.41 acres)
(ii)	Airport Outer Marker Beacon	0.20 hectares (0.56 acres)
(iii)	Skate Park	0.20 hectares (0.50 acres)
	Total	10.73 hectares (26.47 acres)

3.2.3 At the County Farms Estate Interviewing Committee meeting of 27 September 2021 members resolved under minute ref: FE/3(a):

(ii) that the 26.74 acres or thereabouts of land at Thorne Farm, Ottery St Mary be offered to Mr IP for an initial term of up to three and a half years and on a Farm Business Tenancy Agreement commencing 1 October 2021 and terminating 25 March 2025, subject to terms being agreed"

3.2.4 Despite the resolution referred to above the term date of the current tenancy of the land at Thorne Farm, Ottery St Mary is actually 29 September 2024.

3.2.5 The land at Thorne Farm has only been retained for its mid to long term development potential. For many years it has been occupied and farmed by the tenants of Topshayes Farm, Aylesbeare which is located approximately 6 miles away by road. Topshayes Farm is not the closest Estate farm to the land at Thorne Farm.

3.2.6 The current occupier of the land at Thorne Farm has suggested he might not want it beyond his initial term date of 29 September 2024 unless more preferential terms can be agreed. The reason being is that he states he can't do much with the 9 or 10 acres of permanent pasture steeper land which is poorly fenced. Due to the short term nature of the letting he is perhaps understandably reluctant to erect more permanent fencing. It would therefore be prudent to offer him and other existing estate tenants within the locality of the land the opportunity to rent it in internal competition to ensure any terms agreed for a further letting delivers best value for the Authority.

4) 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) 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 have been received

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

6) Strategic Plan

6.1 This report has no specific direct alignment with the Council's Strategic Plan 2021 – 2025 - <https://www.devon.gov.uk/strategic-plan>

7) Financial Considerations

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

8) Legal Considerations

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

9) Environmental Impact Considerations (Including Climate Change, Sustainability and Socio-economic)

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

10) Equality Considerations

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

11) Risk Management Considerations

11.1 No risks have been identified.

12) 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).

Matthew Jones,
Director of Transformation and Business Services

Electoral Divisions: Creedy, Taw & Mid Exe; Otter Valley

Local Government Act 1972: List of background papers

Background Paper
Date
File Reference

Nil

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