

WESTERN COUNTIES AND CORNISH EXAMINATION GROUP
WEDNESDAY 9th NOVEMBER 2011
AT
BURROW FARM, BROADCLYST, DEVON
BY KIND PERMISSION OF NEIL & SALLY GRIGGS

Background

Burrow Farm is a 150 hectare holding on the outskirts of Exeter. The farm is owned and occupied by Mr and Mrs Griggs Senior who acquired the farm in 1989 and managed by their Son and Daughter in Law.

The farm comprises a 7 bedroom listed farmhouse, part of which is used for bed and breakfast (normally 3 bedrooms) a range of traditional buildings including a let farm shop and a range of workshops occupied by a vehicle repairer a classroom and other buildings with potential for alternative use. The farmyard has a range of modern two buildings including a grain store, fodder store, lean-to general purpose sheds. The 350 acres are predominantly arable with some permanent pasture.

There are no other dwellings on the holding, Mr and Mrs Griggs Junior live in the farmhouse whilst Mr and Mrs Griggs Senior have their own house in the village.

The farm is located in a Nitrate Vulnerable Zone and a Catchment Sensitive Area.

Candidates will be accompanied by an Examiner throughout the questions. A writing table is available in the Examination Room for Candidates at any time between 11.00 a.m. and 1 p.m.

CANDIDATES – PLEASE REMEMBER, AT ALL TIMES THROUGHOUT THE DAY – NO MOBILE PHONES, LAPTOPS, ETC. SMOKING ONLY BY ARRANGEMENT WITH THE CHIEF EXAMINER

YOU MAY KEEP THIS EXAM PAPER

YOU NEED TO READ THE ENTIRE PAPER AT THE COMMENCEMENT OF THE EXAMINATION, MAKE WHATEVER NOTES YOU NEED TO TO ASSIST YOUR ANSWERS IN THE AFTERNOON QUESTIONS (#).

WESTERN COUNTIES AND CORNISH EXAMINATION GROUP
PRACTICAL EXAMINATION
WEDNESDAY 9TH NOVEMBER 2011
9 A.M. TO 1P.M

8.50 – INTRODUCTION BY EXAMINATION SECRETARY/CHIEF EXAMINER

ANSWER ALL QUESTIONS		Marks
1	NG 1234 – Arable – 8 ha (20 acres)	
	<p>The pasture in this field is seeds undersown in Spring Barley, grazed by sheep after harvest. Provide a value assuming a tenancy change under the 1995 Act on 9th November 2011 on a per hectare basis</p> <p>For inspection purposes assume the first hectare inside the gate is a fair sample of the overall field</p>	5
2	Farm Buildings	
	<p>The Agricultural Holdings Act tenant of Lane Barn (see plan) has decided that he wishes to make better use of this building but the landlord does not wish to spend any money.</p> <p>Set out what each may do to achieve their objective</p>	5
3	Farm Buildings	
	<p>Describe and comment on the lean- to building to the east of the workshop and any regulations which might apply.</p> <p>Assess its value as a Tenant's Fixture assuming an Agricultural Holdings Act tenancy</p>	5 5
4	Farm Buildings	
	a) Identify and value the item of machinery shown to you	2
	b) Identify and value the item of machinery shown to you	2
	c) Identify and value the item of machinery shown to you	2

5	Farm Buildings	
	Comment on the grain storage facility and its suitability under current regulations	5
	Identify the crop in store, comment on the quality of the sample, indicate the likely weight per cubic metre and the value per tonne	5
6	Farm Buildings	
	The new 7 bay building was erected in summer 2010. The Griggs would like to site an identical new building immediately to the East with provision for a further cantilever and feed face on the east elevation in the future. Comment on the planning and other issues involved and give an indication of the likely cost of the new building proposed.	10
7	Farm Buildings	
	x) Describe and value the livestock shown to you	2
	y) Describe and value the livestock shown to you	2
8	Farm Buildings	
	Assess the claim for the incomer under a 1995 Act tenancy (S.I 1473 terms) over the area within the triangle A-B-C as shown on the plan and indicated on the ground	5
9	NG 7890 – Arable 17 ha (43 acres)	
	Assess the outgoing tenant's claim for the crop in this field assuming a tenancy change at Lady Day 2012 under the Agricultural Holdings Act 1986 on a per hectare basis only For inspection purposes assume the first hectare inside the gate is a fair sample of the overall field	5

10	NG 6789	
	<p>The Griggs propose installing a wood chip boiler for domestic heating and water for the farmhouse. They are considering planting a small woodland, of approximately 2 hectares immediately north of the farm buildings in OS 6789</p> <p>Prepare a planting scheme for the site assuming that at least part of the woodland produce will be consumed in the boiler and advise on grants and other regulatory issues.</p>	10
11	NG 1234 & Yard	
	<p>Exeter airport is being supplied by a new fuel pipeline which runs through the farm between points X and Y on the plan.</p> <p>Prepare a field note identifying key issues and set out likely Heads of Claim and an indication of quantum for the easement</p>	10

This section of the exam finishes at 1.00 pm when Candidates will hand in their completed valuation books. Lunch will be taken immediately thereafter. Candidates are reminded exam conditions still prevail throughout lunch.

PLEASE RECONVENE IN THE EXAMINATION ROOM AT 2 P.M.

AFTERNOON QUESTIONS
ESTIMATED START TIME 2.00 PM AND TWO AND A HALF HOURS ARE
ALLOWED FOR COMPLETION OF THE PAPER
(tea will be available thereafter)

ANSWER FOUR OUT OF FIVE QUESTIONS		Mark
12	Farm Shop	
	<p>The Farm Shop is currently let on an informal arrangement. The Tenants have asked for a lease to enable them to invest in improvements and extend the shop into the adjoining building to the east. The existing farm shop is 4.78 x 5.24, the adjoining store is 4.78 by 10.28.</p> <p>Advise the Griggs on Heads of Terms for the new lease and give an indication of the likely starting rent</p>	15
13	The Farm	
	<p>The Family have been seeking advice on the future arrangements for the holding and one suggestion is that Mr and Mrs Griggs Senior should let the farm to their Son.</p> <p>Advise Mr and Mrs Griggs Senior on the potential Heads of Terms for such a letting including the potential rent</p>	15
14		
	<p>The Griggs rent some 20 hectares of adjoining land on a Farm Business Tenancy and received a rent notice in September 2010. The agreement provides for the appointment of an Independent Expert by agreement or an Arbitrator.</p> <p>You have been approached by the parties to act as an Independent Expert. Set out the procedure you would adopt and your duties in the case and advise on the difference in procedure had you been appointed as an Arbitrator.</p>	15

15	NG 6789	
	<p>The Griggs have been approached by a local grower who would like to grow potatoes in the balance of this field (excluding the land identified for woodland). They would also like the opportunity to store potatoes in the farm buildings on a temporary basis.</p> <p>Advise the Griggs on the arrangements which could be put in place and the merits or otherwise of the proposal</p>	15
16	Whole Holding	
	<p>Mr and Mrs Griggs are seeking to expand sales through the farm shop exploiting the opportunity provided by their arable conversion under HLS.</p> <p>Provide a calendar of operations for the management of a 30 cow suckler herd.</p>	15

ORAL QUESTION THURSDAY 10TH NOVEMBER 2011 PM

The oral question in the examination to be held on the Thursday afternoon will involve approximately a 10/15 minute discussion on the following topic:

Succession Planning

35 marks

The remainder of the oral examination will comprise three brief discussion questions drawing on relevant general knowledge.

15 marks

PLEASE CONSIDER THE ABOVE IN READINESS FOR THE ORAL EXAMINATION

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