

STATES OF JERSEY

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HOWARD DAVIS FARM, TRINITY: PART OF FIELDS 562, 827 AND 828 – SALE OF LAND

Lodged au Greffe on 5th June 2006
by the Minister for Treasury and Resources

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

- (a) to authorise on behalf of the Public the sale of approximately 7½ vergées (13,246 square metres) of land, part of Field 562, 827 and 828 Trinity (as shown on Drawing No. 845/06/98) to the Jersey Milk Marketing Board, or its nominated holding company, for £750,000 (seven hundred and fifty thousand pounds) with each party responsible for their own legal fees, for the purpose of constructing a two-storey commercial milk processing and milk product manufacturing dairy unit of approximately 26,500 square feet, together with offices, vehicle parking and associated landscaping as approved by the Minister for Planning and Environment on 25th May 2006;
- (b) to agree that the contract of sale will include such conditions as are necessary to enable the States on behalf of the Public to be given first option of re-purchasing the land, as described in paragraph (a) above and shown on Drawing No 845/06/98, together with any buildings thereon, from the Jersey Milk Marketing Board or its successors, at market value, should the commercial dairy and associated uses cease in the future;
- (c) to authorise the Attorney General and the Greffier of the States to pass on behalf of the Public any contracts which might be found necessary to pass in connection with the said land and any interest therein; and
- (d) to authorise the Treasurer of the States to receive any payment in connection with the sale of the said land and any interest therein, to be retained in a separate interest-bearing account until such time as a fund is established for the purposes of promoting training and research in respect of agriculture in Jersey or other countries or territories.

MINISTER FOR TREASURY AND RESOURCES

REPORT

Introduction

Parkfield, Trinity, (later to be named Howard Davis Farm) amounting to the house, farm buildings and 40 vergées of land, was gifted to the Public of the Island by the late Thomas Benjamin Frederick Davis and accepted by the Act of the States in November 1927 and the Deed of Gift passed before the Royal Court on 17th December 1927. A covenant attached to the gifting imposed certain conditions as to the use of the land and buildings. It was one of 4 separate corpus-fundi transferred by Mr. Davis to the Public of the Island in perpetuity and gifted for the purpose of establishing there, under the administration of the Committee of Agriculture of the States, an experimental farm for developing the study of agriculture and for instructing in that science young people and other interested parties.

In recent years, a very small percentage of the activities at Howard Davis Farm have actually fallen within the uses permitted under the terms of this covenant with alternative options and facilities being found for research and training as the agricultural industry has evolved. The States are being asked in a separate proposition to adopt a law abrogating the covenants which would permit other uses and the sale of the land and buildings at Howard Davis Farm. This proposition is therefore brought forward subject to the proviso that the States must firstly adopt the Draft Howard Davis Farm (Removal of Covenant) (Jersey) Law 200- (P.65/2006), which removes the covenant limiting the use of Howard Davis Farm to that of an experimental centre for the development and study of agriculture and for the instruction of young people and other interested parties in the science of agriculture.

Background

In common with other businesses in the Island, the Jersey Milk Marketing Board has faced difficult financial times over the last few years and has had to make commercial decisions to ensure its future. Its current dairy at Five Oaks is over 40 years old and is in many ways difficult to operate with separated ageing buildings and inefficient product handling operations. The choice that the Jersey Milk Marketing Board has to make is either to build a new plant on the existing site or relocate to a new site. Building on its existing site and keeping the milk processing facility operational would be totally impractical.

The Five Oaks site is believed to be a valuable commercial one with re-development potential for alternate uses. The sale of the site would provide Jersey Dairy with much-needed capital to re-invest in a modern plant for the efficient processing of milk products in the future.

Its close links with the Jersey cattle breed and the Royal Jersey Agricultural and Horticultural Society (RJA&HS) has prompted interest in re-locating to an adjacent site at Howard Davis Farm. It is believed that there are considerable benefits for the two buildings to become the focal point of the dairy industry in terms of administration, marketing, promotion and milk processing. It would also provide the opportunity for interested members of the community and tourists to visit and learn about the Jersey breed, milk production and milk processing in one location.

The Site

The most suitable site for the new Dairy, as shown on drawing No. 845/06/98, is adjacent to the RJA&HS and on an area of land which is located within that designated by the Island Plan 2002 as the 'Built-up Area'. This currently contains the more southerly glasshouses and poly-tunnels, the majority of which are ageing and unused. The proposed site, which is mostly in part of Field 562, includes a small area of the land, originally part of Field 828, which was purchased with Le Rondin Farm, Trinity, in July 1986. The site is level and separated by some distance from other residential property in the area. Although away from the main road, the site is easily accessed via the existing driveway over which the purchaser would be given right of way for vehicular and pedestrian traffic. The strip of land included in the proposed sale adjacent to the south of Field 827 is to allow a new roadway and services to be brought to the proposed dairy without the need to alter the existing driveway. It will also provide land for a pathway and appropriate landscaping.

The proposal is for the construction of a two-storey framed building of approximately 26,000 square feet to

accommodate all of the milk processing plant and packaging equipment under one roof with loading and unloading facilities provided on each side for improved handling. The development includes associated offices, plant and landscaping. The site will be linked to main drainage at the southern end of the site, although Transport and Technical Services engineers have indicated that, based on the output at Five Oaks, the existing pumping station is likely to need upgrading to meet the increased drainage requirement. Noise levels from a modern plant, in an efficiently insulated building surrounded by appropriate landscaping, is not expected to be high. It is also anticipated that because of more efficient practice, commercial vehicle movements to and from the Dairy will be less than that which has existed at Five Oaks in recent years. Geographically, the site is more central to milk collection from the producers.

An environmental impact assessment has concluded that there are no difficulties which cannot be overcome in the design of the new facility with modern equipment. A new modern commercial dairy, apart from being much more efficient, will considerably reduce the risk of pollution in terms of noise, smell and water effluent, and will optimise the use of natural resources, especially water usage and energy requirements.

Having received the support of the Economic Development Committee for its proposals in March 2004, the Jersey Milk Marketing Board submitted its first application to the Planning and Environment Committee in June 2005. No decision was made at that time pending the production of an environmental assessment and required changes to the proposed building. Approval for the proposed commercial dairy was given by the Minister for Planning and Environment on 25th May 2006

Negotiation

The professional valuation of this particular area of land, which amounts to approximately 7½ vergées (13,246 square metres) in part of Field 562, Trinity, has been based on its designation in the Island Plan 2002 as a 'built-up' area, the development advice for acceptable alternative uses prepared by the Department of Planning and Environment and its current use as a commercial site. It has also assumed the lifting of any covenant on the site which would otherwise restrict any use other than those permitted in the original 1927 Deed of Gift.

In determining value, account has also been taken of the need for the developer responsibility to clear the site of the existing structures, the relocation of existing re-useable glasshouse equipment and plant, the cost of the proposed infrastructure, including new sewers, effluent treatment, upgrading of the pumping station, electrical, water and other services which are required to operate the new dairy.

The site includes the small building which houses the animal crematorium, built and operated on land in the public ownership by the Animal Shelter and the Jersey Society for the Prevention of Cruelty to Animals. Preliminary discussions have taken place between officers of Property Holdings, Transport and Technical Services and the Society in respect of the re-location of that facility to another site in the public ownership within the next 12 months. Plans are currently being prepared for consideration by the Society. It is not anticipated that it will have to meet any costs associated with the re-location unless there is a requirement for equipment which is over and above the general specification of that which is currently operated. Similarly, an area of existing glasshouse operated as part of the Philip Maurant Education Centre will be relocated elsewhere on the Howard Davis Farm site if proven future use is still required.

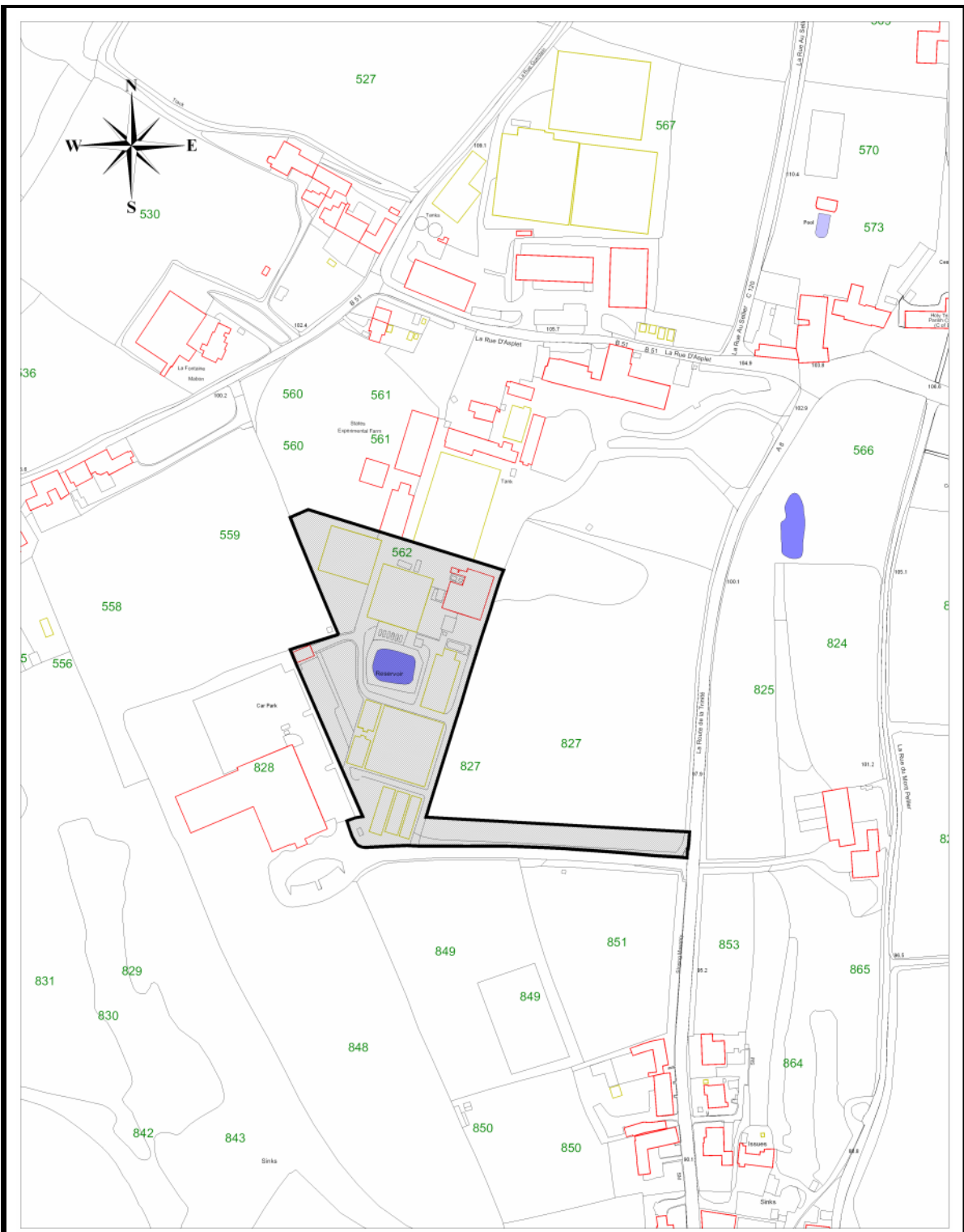
Following several months of negotiation, agreement has been reached, subject to the approval of the States, for the purchase of the land by the Jersey Milk Marketing Board, or its nominated holding company, from the Public for £750,000 (seven hundred and fifty thousand pounds) for the purpose of constructing on the site a commercial dairy or similar operation, with associated offices, vehicle parking and other required facilities. Each party will be responsible for their own legal fees associated with the transaction. Conditions will be included in the contract of sale to enable the States on behalf of the Public to be given first option of re-purchasing the land at market value should the commercial dairy use cease in the future. Any receipts from the sale of the land included within the original 1927 Deed of Gift will be held by the Treasurer of the States to be used for future charitable projects within the spirit of the original T.B. Davis gift and in accordance with the separate approval by the States of the law abrogating the covenant.

The purchase of a suitable alternative site on which to construct a replacement, modern and more efficient

commercial dairy is extremely important for the future of the Jersey Milk Marketing Board, the milk producers and the consumer. The choice of an appropriate and suitable site is extremely limited bearing in mind the environmental and technical requirements which need to be complied with for a food production and handling facility of this type. The decision to relocate from the existing site at Five Oaks is based on sound management decisions, both practical and financial, to ensure the viability of the dairy industry in the Island. The purchase of this particular site at Howard Davis Farm by the Jersey Milk Marketing Board at a fair but fully commercial open market value and the cost of developing an efficient and modern dairy will be met from the eventual sale of the existing Five Oaks premises.

The identified site at Howard Davis Farm is no longer used operationally and it has accrued little in the way of income over the last few years from the leasing of the elderly glasshouses and tunnels for which there is little demand. Its location meets the requirements of the Jersey Milk Marketing Board in terms of available site area, environmental impact, main road access, acceptable isolation from residential property, availability of services and being adjacent to the RJA&HS.

There are no additional manpower implications associated with this proposed land transaction.



Howard Davis Farm, Trinity

Drawing No: 845/06/98

Boundary Information Supplied by the States of Jersey Planning Office, but no responsibility can be accepted for error.



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