

LAND AT FISHER TARN & SPITAL LOTS, NR KENDAL



**124.28 ACRES (50.29 HA) OR THEREABOUTS
IN TWO LOTS**

**FOR SALE BY PUBLIC AUCTION
(Subject to Conditions and unless sold previously)
On THURSDAY 11th MAY 2023 at 7.30pm
in NEW HUTTON INSTITUTE, NEW HUTTON LA8 0AS**

Auctioneers:
Richard Turner & Son
14, Moss End,
Crooklands
Milnthorpe LA7 7NU
015395 66800

Solicitors:
Milne Moser,
100, Highgate,
Kendal
LA9 4HE
01539 729786

Old Sawley Grange, Gisburn Road
Sawley, CLITHEROE BB7 4LH
T: 01200 441351
F: 01200 441666
E: sawley@rtturner.co.uk

Royal Oak Chambers, Main Street
BENTHAM LA2 7HF
T: 015242 61444
F: 015242 62463
E: bentham@rtturner.co.uk
VAT Reg. No. 636 2413 54

14 Moss End, Crooklands,
MILNTHORPE LA7 7NU
T: 015395 66800
F: 015395 66801
E: kendal@rtturner.co.uk

MONEY LAUNDERING REGULATIONS UNDER 'THE MONEY LAUNDERING, TERRORIST FINANCING AND TRANSFER OF FUNDS (INFORMATION ON THE PAYER) REGULATIONS 2017' (SI 2017/692),

In order for selling agents to comply with HM Revenue and Customs (HMRC) Anti-Money Laundering regulations we are now obliged to ask all purchasers to complete an Identification Verification Questionnaire form which will include provision of prescribed information (identity documentation to include photo ID (e.g. passport/photo driving licence) and proof of address (e.g. council tax bill or bank statement, please note bank statement must not more than 3 months old)) and a search via Experian to verify information provided however please note the Experian search will **NOT** involve a credit search. Prospective purchasers are requested to register prior to the sale where possible and the successful purchaser(s) will in addition be required to provide proof of funding for the purchase monies. Please see sale contracts for details of the same.

We are pleased to offer two excellent blocks of agricultural land for sale by public auction located just outside the town of Kendal. The land has been farmed and maintained well and has great potential for agricultural, equestrian and possible environmental stewardship uses.

VIEWING: Viewing is highly recommended and can be at any daylight hour with a set of particulars to hand.

BASIC PAYMENT SCHEME: The Vendors will not be claiming BPS on the land in 2023 and there are no entitlements available with the land.

LOT 1 - LAND AT FISHER TARN (shown edged blue on the plan):

LOCATION:

Driving East out of Kendal on Sedbergh Road. After approximately 1 mile, you will reach a crossroads. Head straight over the crossroad and continue on Sedbergh Road. After approximately 0.5 miles, you will pass Fisher Tarn on your left hand side. You will find the entrance to the land on your left hand side after a further 0.2 miles.



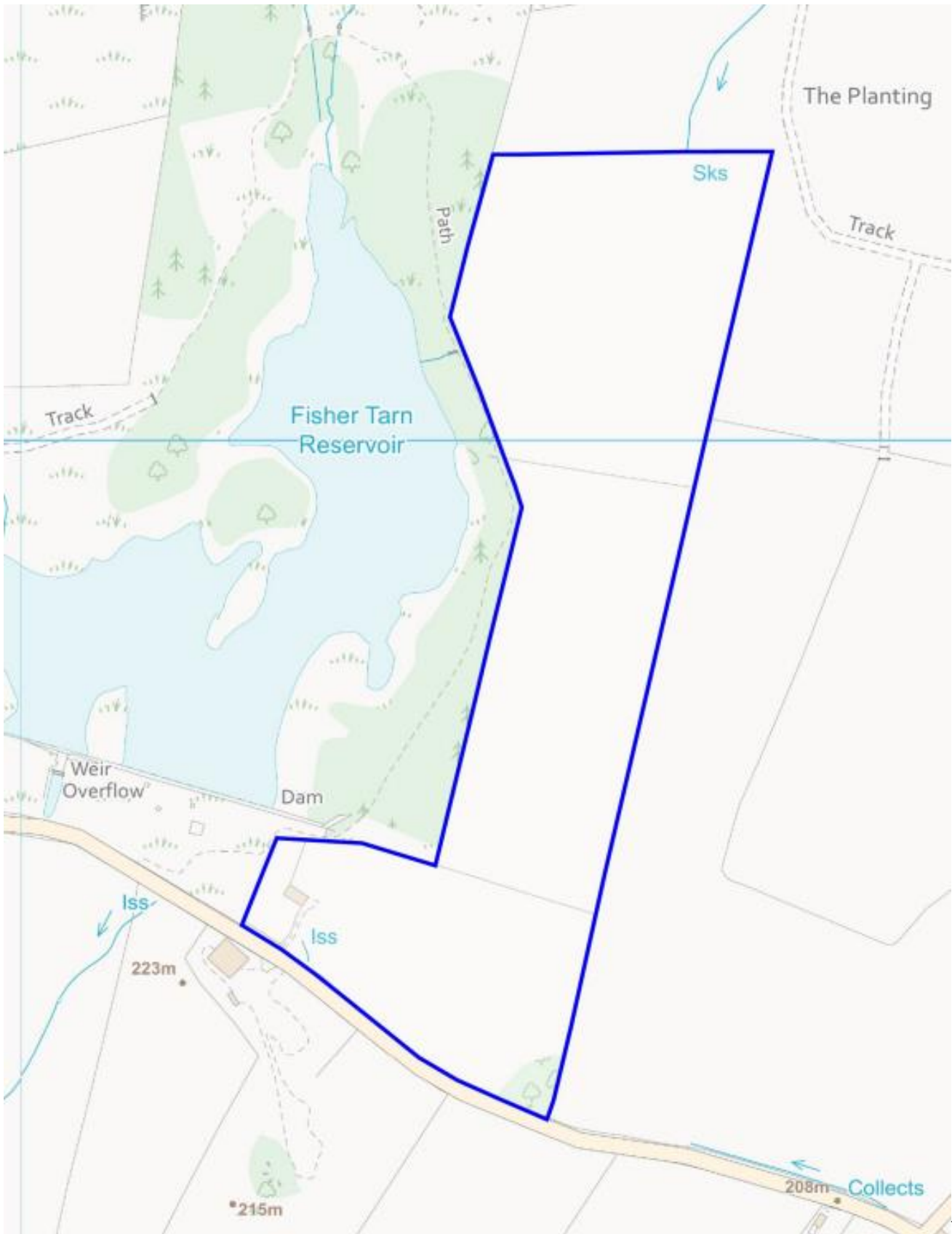
DESCRIPTION:

The land at Fisher Tarn is offer a combination of meadowland and pastureland with excellent grazing for livestock and totals approximately 33.77 acres. As you enter the land, you will see a good portal frame agricultural building that measure roughly 200m² erected only some 8 years ago The land is split into 3 parcels with one parcel of approximately 9 acres of pastureland and the remaining 24 acres as meadow. As well as the current agricultural use, the land also has great potential for equestrian or amenity uses as well as environmental stewardships (subject to appropriate permissions). The land has excellent views over Kendal and out towards Morecambe Bay.

**SCHEDULE:**

<u>Parcel ID</u>	<u>Description</u>	<u>Area (Hectares)</u>	<u>Area (Acres)</u>
SD5593 4711	Meadowland	5.39	13.32
SD5592 4380	Pastureland	4.62	11.41
SD5592 3358	Pastureland	3.66	9.04
<u>Total</u>		<u>13.66</u>	<u>33.77</u>

SALE PLAN (for identification purposes only – not to scale)



LOT 2 - LAND AT SPITAL LOTS (Shown edged red on the plan):



LOCATION:

Head northeast away from Kendal on the A685 (Appleby road) past Morrison's on your left and after approximately 1.5 miles you will cross over the railway. Continue on Appleby Road for a further 0.3 miles the entrance to the land will be on your right hand side (as seen in photo above).

DESCRIPTION:

The land at Spital Lots is sloping but provides excellent grazing for livestock. The lower 30 acres (seen above) is productive pasture land that has been farmed well. The land benefits from a set of holding pens on hard standing and a natural water supply. The remaining 60 acres varies from pastureland very similar to that seen above up to some more rugged land that still provides excellent grazing and areas of shelter but may also have great value for environmental stewardships or rewilding projects. The land also boasts excellent views over Kendal and the Lake District Hills.



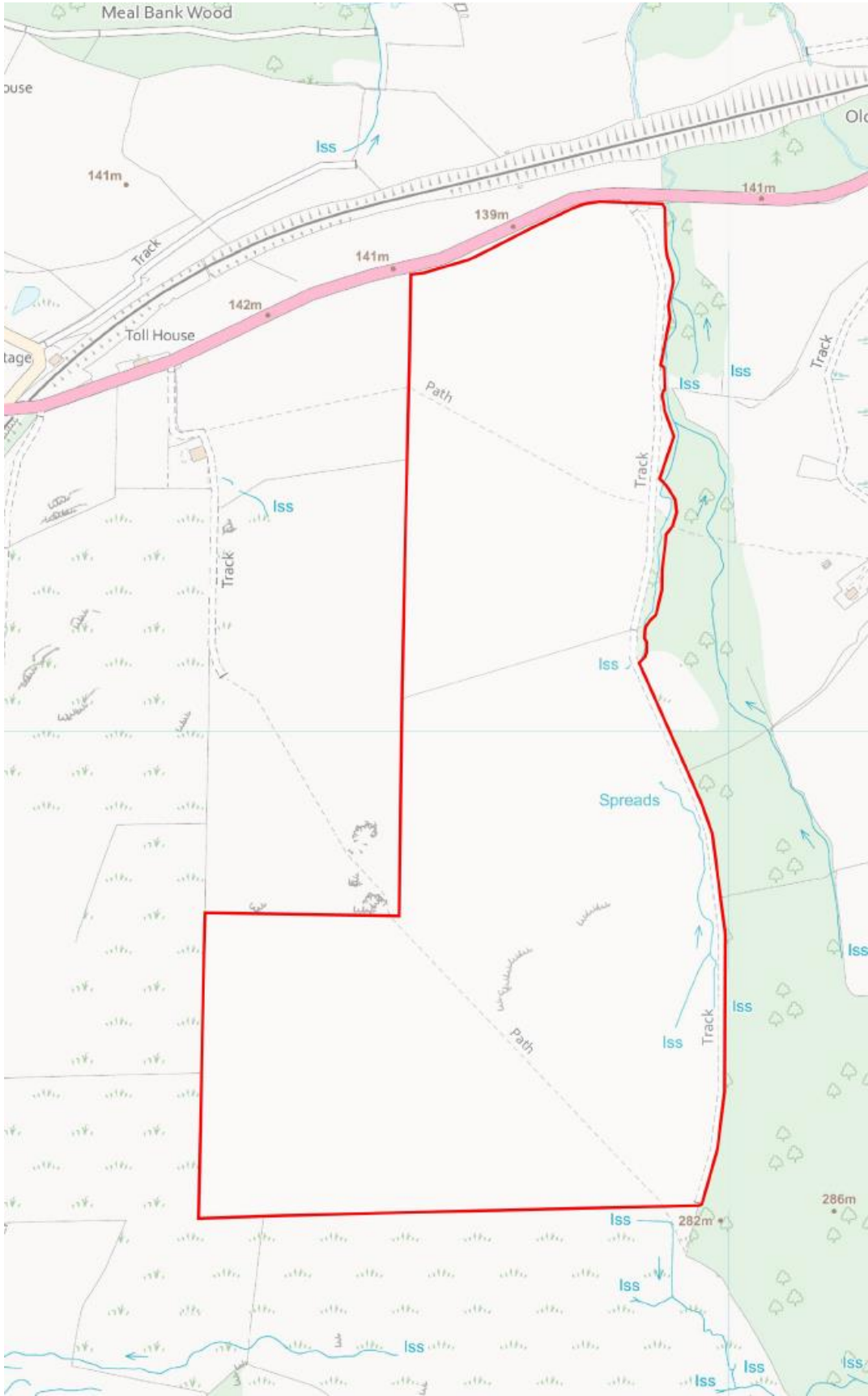


SCHEDULE:

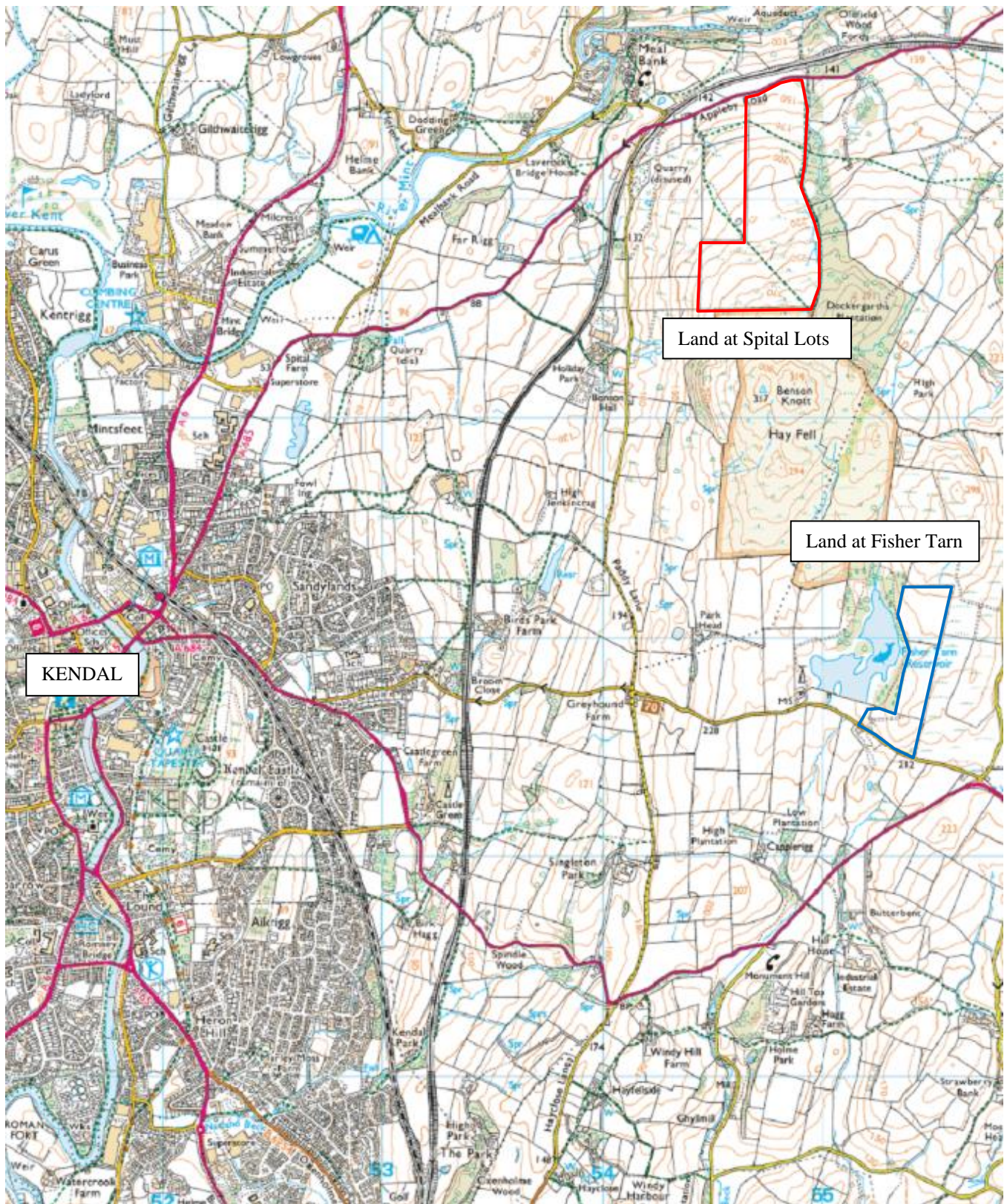
<u>Parcel ID</u>	<u>Description</u>	<u>Area (Hectares)</u>	<u>Area (Acres)</u>
SD5495 7202	Pastureland & Upland Grazing	36.63	90.51



SALE PLAN (for identification purposes only – not to scale)



LOCATION PLAN: (for identification purposes only – not to scale)



GENERAL REMARKS AND STIPULATIONS

LOCAL SERVICE AUTHORITIES:

United Utilities Water, Haweswater Hse, Lingley Mere Business Park, Great Sankey, Warrington. Tel (01925) 23700
Electricity North West, Parkside Road, Kendal, Tel (1539) 721301
Westmorland and Furness District Council, South Lakeland House, Lowther Street, Kendal, Cumbria LA9 4DQ

PARTICULARS OF SALE:

The descriptive particulars (but not the stipulations and special conditions of sale) do not constitute, or constitute any part of any offer or Contract and all statements made herein are made without responsibility on the part of the Auctioneers or the Vendor. All intending purchasers should satisfy themselves as to their correctness. The Vendor does not make nor give and neither Richard Turner & Son nor any person in their employment has any authority to make or give any warranty as to the land and property.

SALES PARTICULARS AND PLANS:

The plan and quantities are based upon the latest available editions of the Ordnance Survey/Rural Land Registry maps as revised by the Auctioneers. Such plan and quantities and these particulars are believed to be correct but any error or omission or mis-statement shall not annul the sale nor entitle either party to compensation or in any circumstances give ground for any action at Law.

TENURE AND POSSESSION:

The land is freehold and vacant possession will be given on completion.

SPORTING AND MINERALS: The sporting rights are included in the sale. Minerals rights are included so far as they are owned

FIXTURES AND FITTINGS: All fixtures and fittings are excluded from the sale, unless they are expressly stated as being included.

TIMBER AND WOOD: All growing timber and fallen timber are included in the sale.

TOWN PLANNING AND LOCAL LAND CHARGES:

So far as the Vendor is aware the present use of the property is in accordance with the Town and Country Planning Acts. No requisition shall be raised in regard to the user or otherwise in relation to the said Acts and the Vendor shall not be required to give any further information in regard to the Town and Country Planning. The land is sold subject to:

- a) all local and land charges and any requirements enforceable by any local or other Public Authority.
- b) all encumbrances and other matters, the existence of which can or ought to be discovered by enquiry of any Local or other Public Authority and the Purchaser shall not be entitled to any compensation or right of rescission in respect thereof.

RIGHTS AND EASEMENTS:

The land is sold and will be conveyed with the benefit of and subject to the burden of all existing rights of way, all rights for the continuance of any means of supply of water, gas or electricity, all rights for drainage and sewerage and any other pipelines over or under the land, together with all necessary rights of access for maintenance, renewal and repair of any apparatus or constructions in connection with such rights.

OVERHEAD ELECTRICITY & TELEPHONE LINES & UNDERGROUND CABLES:

The Purchaser of the land shall take it subject to such wayleave as affects the same and shall be responsible to notify the appropriate authority of his interest.

FENCES & BOUNDARIES:

The Purchaser of each lot will be required to maintain in stockproof condition the fences marked with a "T" on the side of the fence to which it belongs. Where there is no fence built or existing, or, where the existing fence is not in reasonable repair, then the Purchaser of the Lot with "T" marked on that side will be required to erect an adequate stockproof fence within three months of completion and thereafter maintain it in a stockproof condition. The responsibility of fencing of the original boundary of the land has been marked according to the best knowledge of the Vendor, but it is in no way guaranteed and intending Purchasers should make their own enquiries. Any discrepancy in this respect shall not annul the sale nor give rise to any claim for compensation whatsoever.

DISPUTES:

Should any dispute arise before or after the date of completion between the Vendor and the Purchaser as to the interpretation of the particulars, or any matter whatsoever arising therefrom, or thereout, that matter in dispute shall be referred to the arbitration of RICHARD TURNER of Richard Turner & Son, Royal Oak Chambers, Main Street, Bentham, whose decision shall be final and binding on the parties in dispute.

ORDER OF SALE:

Whilst it is intended to offer the land in lots as catalogued nevertheless the Vendor reserves the right to either amalgamate, divide or withdraw any Lot or Lots prior to the Auction Sale.

UNSOLD LOTS:

In the event of any Lots remaining unsold the Vendor shall be entitled to exercise any rights or other matters over Lots reserved in the Particulars, Stipulations or Conditions of Sale and shall hold subject to any such rights granted in favour of the Purchaser of any other Lots.

CONDITIONS OF SALE:

The Conditions of Sale WILL NOT be read out at the Auction Sale, but a copy thereof will be available for inspection at the offices of the Vendors solicitors during normal hours for 14 days prior to the date of the Auction Sale.

INSURANCE:

As from the date of sale/signing of the Contract, the property shall be at the sole risk of the purchaser(s) and he/they shall effect his/their own insurance's accordingly.

TENANT RIGHT:

All tenant rights, unexhausted manorial values etc are included in the purchase price of the land and there will be no right to claim compensation for any dilapidations etc

MISREPRESENTATION ACT 1967

Richard Turner & Son, for themselves and for the vendors or lessors of these properties whose agents they are, give notice that these particulars do not constitute any part of an offer or a contract. All statements contained in these particulars as to these properties are made without responsibility on the part of Richard Turner & Son or the vendors or lessors, none of the statements contained in these particulars as to these properties are to be relied on as statements or representations of fact and any intending purchasers or lessees must satisfy themselves by inspection or otherwise as to the correctness of each of the statements contained in these particulars. The vendor or lessors do not make or give and neither Richard Turner & Son nor any person in their employment, has any authority to make or give any representation of warranty whatever in relation to these properties