

Parish Lands

At its meeting on 2nd July, the meeting considered an update on parish lands (previously circulated as [WPC.EC.26.07.05](#)) and agreed the actions set out in the report and below:

1. Update the registered address on each Title with HM Land Registry to ensure that any future notices served by them are sent to the correct address (exempt from fee)
2. If Six Acres land is registered as common land, consider whether to apply to register Qualified Title of the land with HM Land Registry
3. Consider whether to apply for registration of the land used for the Cemetery
4. Get an initial estimate for the likely cost of clearing the ditch on the boundary between the Bowling Green and Thorns Close properties.
5. Establish whether any of the restrictive covenants recorded in the summary title deeds of Thorns close properties relate to any form of shared responsibility for the ditch to the rear of the properties.

Min. WPC.EC.26.07.12 refers.

Suffolk County Council Land Charges has now confirmed that

Checking our records, I can confirm that Attleton Green, Colts Foot Green, Moor Green, and Genesis Green are registered as village greens.

We can also confirm that Clopton Green, The Cemetery, and Six Acres are not registered as common lands or village greens, according to our records.

Please find attached the entries and plans for Registration Unit numbers VG63 (Colts Foot Green), VG64 (Moor Green), VG65 (Genesis Green), and VG66 (Attleton Green). Please note that you have not been charged on this occasion.

The titles in each case relating to Wickhambrook Parish Council have been recorded at the address of the Clerk who was in post at the time. The Commons Registration Officer at Suffolk County Council has advised that it would be prudent both to apply to HM Land Registry to update this address in each instance. This is to ensure that any relevant notices are served upon the Parish Council at its current registered address (an e-mail address would be sufficient, and would also limit any future occasions that the address would require updating. There is no charge for this application, but it does require that the identity of the applicant be officially verified (by a solicitor or similar). One verification is sufficient for all applications. Initial enquiries indicate that the cost of verifying identity for this purpose would be in the region of £200.00, and many Solicitors will only undertake this function as part of a wider piece of work due to the administrative burden of opening a case file. Registration of both the Cemetery land and Six Acres would constitute such a wider piece of work. Additional costs likely to be incurred to register the land would be:

- Valuation of the land parcels – the most recent land valuation, relating to a parcel of land adjacent to the cemetery, cost in the region of £600 over three years ago
- Cost of producing HM Land Registry compliant plans
- Solicitor's costs

In the meantime, the clerk has registered for an alert on the relevant Titles with H M Land Registry which is free of charge.

The Title Deed Summaries of Thorns close properties make mention of restrictive covenants and the clerk has sought to establish whether these would have any impact on undertaking work to clear the ditch. The clerk has also carried out a Land Charges Search for Six Acres which lists the relevant previous planning applications relating to the designated area.

In accordance with the Council's [Financial Regulations](#) (5.9) the clerk has sought 3 estimates of cost. Two quotes for work to clear the ditch, having been received, are summarised below:

Supplier	Description	Cost (ex VAT)
M L Partnership Landscaping	1.) Clear ditch • Cut back over shrubs/ fallen trees etc that are over hanging ditch to a height of 2m • Rake out & clear debris from ditch • All created waste to be removed from site & disposed at recycling facility via • licensed waste carrier	£2100.00
RH Landscapes and Maintenance Ltd	Clear the ditch line to the back of the bowls club including behind the containers of vegetation, siding up along the back of the houses where necessary	£750.00

Financial regulations (5.14) state that the council shall not be obliged to accept the lowest or any tender, quote or estimate.

Funding:

	Revenue	Earmarked Reserves
Greens	£500.00	
Grounds and Asset Maintenance		£3,775.00
Parish Groundworks	£500.00	
Parish Lands	£250.00	
Six Acres	£750.00	

If the cost of work were to be approved, the full council would need to authorise any draw down of Earmarked Reserves to the General Reserve.

Powers:

Power to provide and manage recreation grounds, public walks, pleasure grounds and open spaces	Public Health Act 1875, s.164
Power to enter into contracts	Local Government Act 1972, ss.124, 127
Power to do anything that will facilitate, be conducive to or incidental to the discharge of its powers and functions.	Local Government Act 1972, s.111

Recommendation:

Authorise the cost of work to clear the ditch to the back of the Bowling Green at a cost of not more than £2100 plus VAT.

Actions

- 1. Decide, if the proposal to undertake works to clear the ditch is approved, which supplier to engage.**
- 2. If the cost of clearance of the ditch is approved, delay purchase order until it has been possible to establish whether any of the restrictive covenants recorded in the summary title deeds of Thorns close properties relate to any form of shared responsibility for the ditch to the rear of the properties.**

3. Consider whether to apply for registration of the land used for the Cemetery and Six Acres with H M Land Registry

Report:

[WPC.EC.26.07.05](#)

WPC.24.07.06

WPC.23.11.05

WPC.23.07.10

[WPC.22.11.04](#)

[WPC.20.07.04](#)

[WPC.20.02.01](#)

Minute:

26.07.12

24.07.16

23.11.19

23.09.9.5

23.07.17

22.11.10.2

20.07.21

20.02.8.3

19.09.8.2

Appendix A

